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GOP JOUSTING
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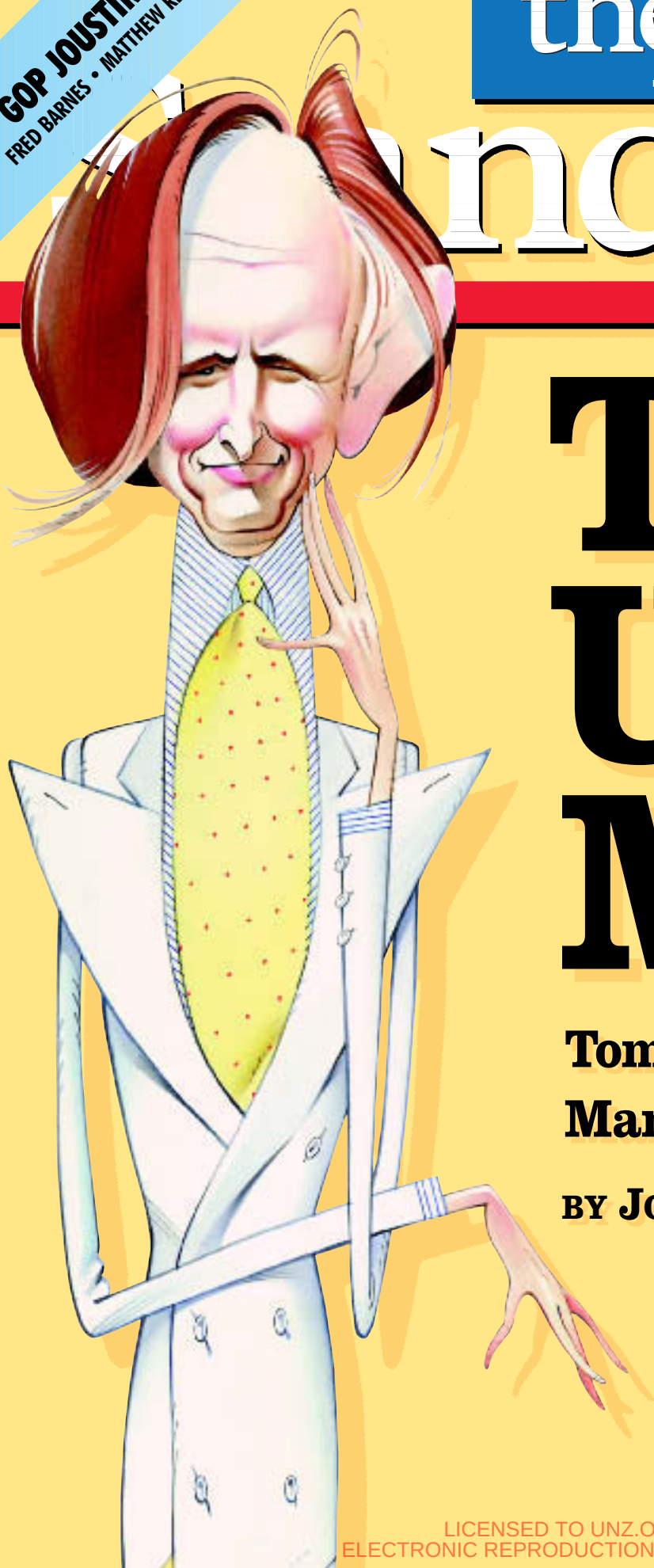

The U.S. Male

Tom Wolfe's Portrait of Manhood in America

BY JOHN PODHORETZ

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the weekly Standard

VOLUME 4, NUMBER 11 • NOVEMBER 23, 1998

2 SCRAPBOOK
Laurence Tribe's tantrum; Buddy's bite; and more.

4 CORRESPONDENCE

6 CASUAL
For Jay Nordlinger, the Price is right.

7 EDITORIALS
Defeat Saddam
Dishonest Excuses for a Dishonest President

9 APRÈS NEWT
Moving and shaking on the Hill. *by* **Fred Barnes**

12 DEMOCRATIC DIVISIONS
The GOP isn't the only one with splits. *by* **Michael Barone**

14 THE NEW RACE-BAITERS
Clinton and the Dems play the race card. *by* **Matt Labash**

40 PARODY

Kevin Chadwick

18 LIVE AND LET LIVINGSTON
The new speaker's twin tasks: Help unite the party, help defeat Gore. *by* **Matthew Rees**

23 FIRST THEY CAME FOR PINOCHET . . .
What the London arrest means for international law—and the U.S. *by* **Jeremy Rabkin**

COVER BY JOHN KASCHT

Books & Arts

31 THE U.S. MALE Tom Wolfe's portrait of manhood in America. *by* **John Podhoretz**

34 THE DAYS OF MARY MEYER Nina Burleigh's tale of life and death among the Old Guard. *by* **Noemie Emery**

37 PICTURING JACKSON POLLOCK A retrospective opens at the Museum of Modern Art. *by* **David Gelernter**

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BPA INTERNATIONAL

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Laurence Tribe's Tantrum

At last week's impeachment hearings, liberal constitutional law expert Laurence Tribe of Harvard was one of the star witnesses called by the Democratic members of the House Judiciary Committee. But he wasn't treated as a star witness. At least not by *his* lights. And he let the committee's Democratic staffers hear about it, in an e-mail that was subsequently leaked to the *Washington Post*'s Al Kamen. It's priceless:

> Dear Mr. Ramsey:
>
> I appreciate the fact that the witness list finally contains a correct spelling of my name, but it continues to disturb me that the witnesses being called by the majority are accorded the respect of being listed with their professional titles whereas those of us being called at the suggestion of the minority are listed with nothing more than our institutional affiliations.
>
> As you may know, I'm the Tyler Professor of Constitutional Law at Harvard University Law School; I hold the only chair in constitutional law at that institution. It seems to me quite unfair, and in a sense misleading, for the press and the public to be told, for instance, that my colleague Richard Parker is a Professor of Law at Harvard and to know only that I have some unspecified link to that same institution—an institution at which it is I, and not Richard, who hold the chair in constitutional law; or to know that Gary McDowell, to pick just one other example, is Director of the Institute of U.S. Studies at the University of London—whatever it is that the institute does—while being left to guess what sort of post Cass Sunstein holds at Chicago or Susan Bloch holds at Georgetown, and to speculate whether Father Drinan is Georgetown University's chaplain or holds some other, more relevant, position. This is perhaps only a matter of principle since most of us are more or less familiar to the press if not to the public, but matters of principle should count for something in this context, and my several efforts to raise this matter through my assistant Jeff Jamison have produced neither a correction of the list through inclusion of the appropriate titles nor an explanation of why this request cannot be honored while it remains timely.
>
> Let me thank you in advance for whatever you can do about this little annoyance, and let me also apologize if you think I am being petty in a setting where truly important things, and not mere titles, are at stake.

Wow. A matter of principle. If Laurence Tribe hasn't shown himself to be perfectly qualified to be the next Democratic nominee to the Supreme Court, The Scrapbook doesn't know who is.

A Dog Doesn't Bite Man Story

Is there anything the Clinton White House won't spin? On Sunday, Nov. 8, the president's chocolate Labrador retriever Buddy sent Marine Corps helicopter pilot John "Ken" Faircloth to the infirmary for a couple of stitches in his hand. But this was no ordinary dog-man encounter, at least not after the White House's expert flacks got done massaging the story.

In the words of presidential flack Barry Toiv, which deserve to be immortalized: "It was not a bite." Toiv didn't stop there. He told the *Washington Post*'s "Reliable Source" column, "It's probably more accurate to say that [Faircloth's] hand was in the wrong place at the wrong time. He was playing ball with Buddy. Apparently he went for the ball with his hand at the same time Buddy went for it with his mouth. His hand scraped a tooth and he had a couple of stitches and he's fine."

Geez. His hand scraped a tooth? It's not like a nip from the presidential pooch is an impeachable offense. Buddy was probably just bored from being trotted across the White House lawn for the cameras whenever the president boards his helicopter to Camp David. In any event, since the White House presumably procured Buddy for some incremental PR benefit with

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dog-owners in the first place, it's condign punishment that they now have to spin his misdeeds.

Rolling Back Preferences

You wouldn't know it from the media, but on Election Day following the lead two years ago of California, voters in Washington approved the elimination of race and sex preferences by their state government. Initiative 200 was modeled on California's Prop. 209 and passed with 58 percent of the vote, despite a heavily funded and hyperactive opposition.

The "No!200" campaign was backed by a Who's Who of corporate sponsors—Microsoft, Boeing, Eddie Bauer, Nordstrom, and Starbucks. The *Seattle Times* doled out free advertising space. Gov. Gary Locke did television advertisements supporting preferences and opposing the ballot measure. In the end, I-200 opponents outspent supporters by a margin of at least 3 to 1. Such margins would usually spell death for any initiative. Not this time.

The American Civil Rights Institute, founded by California businessman and Prop. 209 veteran Ward Connerly, led the fight to pass the Washington initiative. "This is an important victory for people who want to go against the establishment," says ACRI's Jennifer Nelson. "Voters saw through the rhetoric, and they knew what they were voting for."

Opponents of the initiative argued that the language of the proposition would confuse voters, but the text could not have been more straightforward: "The state shall not discriminate against—or grant preferential treatment to—any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting." A *Seattle Times* poll showed that voters understood the issue, and two-thirds of them knew from the beginning of the campaign how they would vote.

Coverage of the unlikely uphill triumph of the civil-rights initiative—or the paucity thereof—has been interesting, to say the least. After a short round-up in its election section, the *New York Times* waited nearly a week to discuss the news in its pages—and when a story finally did appear, it was buried on page 25. When a similar initiative was narrowly defeated in Houston last year, the news was sitting pretty on Page One, two days after the election. Other national media have also proved remarkably reticent about this striking result.

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Casual

Stagedoor Jay

I must've been 12 when I first heard Leontyne Price. I didn't like vocal music much—young people seldom do. But she was on the concert series, sandwiched between the likes of Horowitz and Milstein, so I went.

It was a revelation, to bow to the cliché. Price was not only a singer, but a real musician. Then, as now, she sang Handel and Strauss and Poulenc and Barber—all with total authority.

Ever since, I haven't been able to shake her. Oh, hang on a second: She hasn't been able to shake me. I wanted to hear her again and again, and she wasn't getting any younger, so I kept a close eye on her schedule. Would this be her last year? Better get to Boston. How about *this* year? Better drive to Columbus.

I craved the high of a Price recital the way a heroin addict does his needle. (Was I a heroine addict? Sorry.) My friends started to refer to me as a "Price-head." One of them warned, as I headed off to New Haven, "Remember, Jay, there's a fine line between a fan and a stalker." Yeah, but rarely has a pastime been so joyous, so pure, so justifiable.

Funny thing is, I never wanted to meet the woman. Her public always thronged the greenroom after a recital, proffering flowers and hugs and tears. I spat on that. Personality is usually a gross intrusion into music. And I hadn't been in a greenroom since I was a boy.

The first time I went backstage, it was to meet Eugene Ormandy. People were lined up for miles, waiting for their programs to be autographed. Ormandy was sitting at a table, signing, barely looking up. No one was talking to him, which I thought was strange.

When I got there, I said, "Mr. Ormandy, I just wanted to tell you I thought you did a very good job." The maestro was startled. I had nothing for him to write on. "Huh?" he said. I repeated myself. He then stood up (all four-foot-ten of him), embraced me, and thanked me as though he'd never been complimented in his life.

The next time, I guess, was for Horowitz, who sat on a couch, sphinx-like. The boy ahead of me was Asian. Horowitz said, "Japanese?" The boy nodded. Horowitz beamed as though he had just formulated the theory of relativity. To me he said nothing.

Then there was Mstislav Rostropovich, perhaps the most ebullient spirit in music, a man who kisses everyone he encounters without restraint. His nickname, in the Russian fashion, is "Slava." Some call him "Saliva."

But mainly I remember Alicia de Larrocha, my pianist hero, who turned out to be a shrew and a half. I adored her. She came to town one year with another Spaniard, the soprano Victoria de los Angeles, for a duo recital. About the singer—and her art—I cared nothing. In fact, I resented her very participation in the evening.

After the final encore, I hurried back, excited to greet de Larrocha. She was standing between two men—management, probably—with a highball in her hand. I stood before her for what seemed an eternity. It took a tremendous act of will for her to ignore me.

As I made for the door, stung and angry, I heard an *Eh!* from the other end of the room. It was, of course, de los Angeles, who had witnessed the entire scene. This enchanting woman—redolent of sweet sweat and makeup and perfume—beckoned me, murmured something tender, and stroked my face. I floated out (still ticked, though).

It was in Newark—which, don't laugh, has a superb hall and a lively musical life—that I first met Leontyne Price. I had been sitting down in the front left, and, as I was exiting, I found that I was practically at the greenroom door. Why not?

The room, as always, was presided over by Price's manager, her brother, the retired Army general George Price. Gen. Price is a remarkable man: a rough-talking, rigid-backed soldier with a golden heart and an ample knowledge of music. He once commanded divisions; now he commands—with equal dignity—his sister's Kleenex, bottled water, and lipstick.

My brief conversation with the diva was . . . well, sublime. Since then, I have accosted her whenever possible. Particularly nice was Chapel Hill, where Price performed shortly after I'd gotten married. When I introduced her to my wife, her eyes widened, and she said—with Mississippi heavy in her voice—"Why, hello, pumpkin!" I've been saying, "Hello, pumpkin," to my wife ever since (which, needless to say, is making her homicidal).

Price is in her seventies now—fulfilled, laureled, triumphant. She can't go on forever (as I've been saying for at least 15 years). Last week, she gave a master class at Howard University. She was, simply, everything she is: smart, haughty, sly, grand, impossibly musical.

And she also received the single most elegant introduction I've ever heard: "The greater the person, the less you have to say about him. Ladies and gentlemen, Miss Leontyne Price."

So I'll stop now. But, gosh, I'm nuts about her. You'd be, too.

Jay Nordlinger

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Correspondence

Solving the Reagan Riddle

Norman Podhoretz should forget his quibbles with the policies of Ronald Reagan and remember the things that made him the most successful president in recent memory ("The Riddle of Ronald Reagan," Nov. 9).

Before Reagan took office, the economy was locked in stagflation. His tax cuts in 1983 were an essential part of the booming economy that followed. This boom continues even today—interrupted only briefly by one small recession.

Second, as Podhoretz notes, before Reagan, the United States was on the strategic defensive and American power was in steep decline. Reagan put America on the strategic offensive, rebuilt our military power, and within a decade won the Cold War.

Of course both the economic transition and the restoration of military power contributed to the much-bemoaned deficits of the 1980s, but as it turns out, they were well worth it—today, trading a large national debt for a bloodless end to the Cold War seems like a bargain.

Reagan provided the leadership America needed, withstood the heat from a badly misguided political establishment, and changed the course of history. No other "electable" politician could have done it, and there is no way we can thank him enough.

P.M. Lion
McLean, VA

As a native of Illinois (Ronald Reagan's home state) and a fourth-generation Republican, I would like to gently suggest that Norman Podhoretz may not be the best of all guides to understanding Reagan. I never met our former president, but he is surely no mystery.

Amiable, yes. A dunce, no. It will probably come as a shock to the eastern peoples that we of the Midwest do not really give a fig about their intellectual, pretentious, and overly nice rationalizations.

While the East is enthralled by government and policy alternatives, we midwesterners are bored with them. So was Reagan. This is why he smiled a lot and told stories. As I recall, so did Abraham Lincoln, another Illinois politician.

Ed Haefele
Alliance, NE

I wholeheartedly agree with the core of Norman Podhoretz's analysis that Ronald Reagan was primarily a gifted politician. As a politician, Reagan knew that the goal of politics is to win. However, the great politicians always have a larger purpose than winning and they realize that politics is nothing if not the art of compromise followed by the selling of the compromise. It is this combination of skills—winning and selling—that makes Reagan one of the best presidents.

Some day in the future, historians

will rank Reagan and Franklin Roosevelt as the most significant politicians of the twentieth century; however, among past presidents Reagan is most comparable to Abraham Lincoln. Both were guided by the Founding Fathers and both were scorned and ridiculed by the East Coast elites of their day, both met roadblocks and setbacks, and both were marked by their great reverence for, and fear of, God.

Scott Sirk
Fishers, IN

Not So Unpleasant

My friend Daniel Wattenberg's notion that *Pleasantville* is a sociological critique of the 1950s is true on a certain level, but he misses the film's deeper, more subtle, metaphysical point ("Unpleasantville," Nov. 9). The film is not a rah-rah brief for the '90s: Writer-director Gary Ross acknowledges in the first reel that kids today live in a rotten world of AIDS, broken families, and moral chaos. Rather than figure out how to live rightly under these conditions, Tobey Maguire's character reacts passively, retreating into the escapism offered by a cheesy 1950s-era TV show.

The film brings to mind Milan Kundera's comments on kitsch, which the novelist says "excludes everything from its purview that is essentially unacceptable in human existence." Kundera indicates that the kind of Edenic world the troubled teenager seeks is possible only in a kitschy society like *Pleasantville*'s, one without individualism, without knowledge, without desire, without the freedom to act.

Pleasantville says we are better off living with freedom and its discontents, and learning how to act to redeem the suffering it brings about, rather than longing futilely for a perfect world that never can be. (I wonder how someone who grew up under Communist totalitarianism would interpret the film.)

And, contrary to Wattenberg, the movie does have some good things to say about its pseudo-1950s world. The slutty '90s girl (Reese Witherspoon) learns that her trampiness was a way of conforming, of denying her human dignity. She concludes she can't live in the '90s, that she requires the strong social structure still present in postlapsarian *Pleasantville* to stay on the straight and narrow.

Rod Dreher
New York, NY

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Defeat Saddam

Administrations and politicians can avoid reality for only so long. Eventually, reality intrudes on artful spinning and wishful thinking. Since last January, we have been arguing that the United States faces only two choices in dealing with Saddam Hussein: either remove him from power or learn to live with a dictator in Iraq armed with weapons of mass destruction. The middle-ground policy of containment—featuring sanctions, inspections regimes, and diplomatic pressure, punctuated with occasional "whack-a-mole" cruise-missile strikes—was never sustainable. It has now collapsed. Fancy talk about how Saddam might be "kept in a box" or made to live by the rules of the game has been utterly discredited. Now, finally, there is broad agreement in Congress and, we suspect, even within the Clinton administration that the only solution to the present crisis is doing what is necessary to remove Saddam from power.

Now the task is actually to do what is necessary, and not to shy away from the full implications of that understanding. As we go to press, the Clinton administration appears to be on the verge of launching military action against Iraq. We trust that the bombing campaign will be large, sustained, and aimed at the destruction of Saddam's conventional as well as unconventional military capabilities. Congressional leaders should certainly insist on that much. But everyone ought also to grasp that an air campaign alone will not solve the problem. A comprehensive political-military strategy to remove Saddam will require more: It will involve establishing liberated zones in Iraq where the Iraqi opposition can rally and offer a credible alternative to Saddam's regime. And it will require an American commitment to use force, both from the air and on the ground, to defend those zones.

Honesty, however, requires that we squarely confront a further reality: The only sure way to remove Saddam is to send in American ground troops to complete the job that should have been completed in 1991. We think it will come to this, anyway. It would be better to make this clear at the beginning, and to begin preparing public opinion and building up the necessary military forces sooner rather than later.

Iraq is Bill Clinton's supreme foreign-policy test. If we have a short-term military action that changes nothing, all he will be doing is passing on this crisis to the next president, with U.S. credibility destroyed and U.S. interests imperiled. If, on the other hand, he is at last serious and acts to remove the threat of Saddam and his weapons of mass destruction, he will deserve support, and praise.

—Robert Kagan, for the Editors

Dishonest Excuses for a Dishonest President

When you are on the "winning" side of some soon to be resolved issue, you are naturally disinclined to invite detailed argument about the merits of your position. Congressional Democrats believe they have this Clinton-Lewinsky matter locked down tight. So last Monday, at the House Constitution Subcommittee hearing on standards for presidential impeachment, they felt no need to engage in any serious debate about the foreordained result.

Perjury charges against the president? They have long since been adequately addressed by the newspaper funny pages, according to Rep. John Conyers; "Garry Trudeau dismissed that a few weeks ago." The continuing controversy over those charges? It is a "jihad" and a "witch hunt," according to Rep. Jerrold Nadler, something that bears comparison to "the 17th-

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century Court of Star Chamber or to a Moscow show trial of the 1930s." On what basis are we to resolve the controversy? We need look no further, every Democrat insisted, than recent election results and poll numbers. And once we're done, then what? We must get on with more important public business—like, Rep. Maxine Waters suggested, the "long-standing fallout of drugs and the CIA issue that I've been working on for the past two years."

Why any of this might be true—and why they now believe it is unacceptable even to *consider* impeaching Bill Clinton for the crimes alleged against him—the subcommittee's minority did not say. But last week's hearing was not entirely without value, for some kind of serious answer to these questions did indeed emerge from the parade of expert academic witnesses the Democrats had called. In at least some of the exhaustively footnoted testimony, a reasonably coherent defense of the president was finally revealed—reasonably coherent, but frightening.

To be sure, not every minority witness was truly up to his assigned task. Two of them, Arthur Schlesinger Jr. of Harvard and Father Robert Drinan of Georgetown, have reached a stage of their lives at which they clearly imagine their ornamental presence alone to be enough to settle any debate. Drinan, who was unprepared to acknowledge that a president guilty of *murder* might be subject to removal from office, offered a brief history of the Constitution's impeachment clause—and then rested his case simply on Clinton's persistent popularity. Schlesinger cited the midterm election and the "strictly partisan" current critique of the president to much the same effect. It "fails the legitimacy test," both men agreed, to impeach a president who retains majority support. Neither man bothered to explain why, if that is true, the Framers directly anticipated this very circumstance—by empowering the Senate to ban such a president, upon conviction, from any future public office.

Matthew Holden Jr. of the University of Virginia announced that presidential impeachment is a bad idea in general. "Frankly," he observed last Monday, "they made a mistake" when they drafted the Constitution in 1787. The impeachment provision "should never have been put in." But since we're stuck with it, its application must be rigorously restricted to presidents whose actions are so dastardly as to "disable or potentially disable" the entire legislative or judicial branch of government. Bill Clinton is not such a president. "Neither Congress nor the courts are disabled, or under any potentiality of being disabled, or the president would not now be on the defensive." Follow the bizarre logic of this argument: The fact that Congress is still theoretically capable of impeaching Clinton is itself proof that Clinton should not be impeached. And, by extension, the only president ripe for impeachment is a president so tyrannical that he has rendered Congress unable actually to pull it off. Matthew Holden Jr. appears to be an idiot.

Daniel Pollitt, professor emeritus of the University of North Carolina, seems to be either woefully ignorant or willfully dishonest. Pollitt was the only subcommittee witness last week who definitively concluded that Clinton cannot be impeached because he "did not commit perjury." Pollitt based this claim on a specious account of the perjury statutes and case law, derived almost verbatim from White House Counsel's Office memoranda. To which he added two original fillips of his own. Unrebutted by anyone on the Constitution Subcommittee, Pollitt contended, first, that U.S. district judge Susan Webber Wright has ruled testimony about Monica

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Lewinsky "not material" and "totally irrelevant" to the Paula Jones litigation; and, second, that "nowhere does [Kenneth Starr] use the word 'perjury'" in his impeachment referral to Congress. Both of these "facts" are pure fiction. It is well that Professor Pollitt has retired from full-time law-school instruction.

It was left to three Democratic experts at last week's hearing to outline a better-than-laughable brief against Clinton's impeachment. Chicago's Cass Sunstein, Georgetown's Susan Low Bloch, and Harvard's Laurence Tribe allowed as how a president might be subject to impeachment for certain crimes not directly related to his official responsibilities. They allowed as how perjury might qualify as such a crime. But they rejected setting a bright-line standard for impeachment at perjury. Because perjury "about sex," in these professors' judgment, just doesn't cut it. And because, as Sunstein put it, "it is extremely doubtful that the line could be held in practice." Before long, in other words, we would be impeaching presidents for all manner of felony violations.

This proposed impeachment doctrine has obvious problems of consistency. If a president may lie under oath about sex, what else may he lie about? And if there are certain things he may lie about, how might the Justice Department continue fully to enforce federal perjury penalties against all the rest of us? At the end of the day, the best that can be said for a "Lewinsky exemption" to impeachment is that it accurately reflects what is apparently a gut-level majority sentiment in America.

That is the best thing about it—and also much the worst. For the "slippery slope" argument Sunstein, Bloch, and Tribe mount against Bill Clinton's impeachment brutally rebuts itself. By widespread agreement, the Monica Lewinsky scandal sets too low a bar for removal of a president. Think about that for a moment. Ten short months ago, it would have been thought inconceivable that a president who was convincingly alleged to have committed systematic felonies of any kind could keep his job. Now we are told, by Clinton's most sophisticated advocates, that it is too much to ask—even dangerous to ask—that a president *not* be a felon. And most of us, quite suddenly, seem to believe it.

The country hardly needs now to fear, in our view, the prospect of excessively exacting standards for presidential integrity. Those standards, to the contrary, are plummeting before our very eyes. We concede that public opinion does not share our alarm at this development—and that impeachment of this disgraceful president is an increasingly remote possibility as a result. But we continue to hope against hope that Republicans in Congress will find the courage to do their unpopular duty anyway.

It was once an elemental principle that the president, surely the *president*, must obey the law. Oddly enough, the fact that this principle has been almost forgotten—that the nation wants to keep Bill Clinton—is one of the strongest reasons he should be impeached.

—David Tell, for the Editors

Après Newt

by Fred Barnes

Tom DeLay, the House Republican whip, is keeping his own job and affecting everybody else's. The morning after Christopher Cox of California announced he was running for speaker of the House, DeLay endorsed Cox's chief opponent, Bob Livingston of Louisiana. Within 48 hours, Cox was out of the race, and Livingston had won by default. At roughly the same time, DeLay threw his weight behind the bid by Tom Davis of Virginia to replace Rep. John Linder of Georgia as chairman of the House GOP campaign committee. Davis quickly was able to line up more votes than Linder. And when J.C. Watts of Oklahoma launched his drive to oust John Boehner of Ohio as conference chairman, an old DeLay hand, Mildred Webber, became Watts's campaign manager. Watts's prospects improved immediately.

Two things are going on here, one obvious, the other more subtle. The obvious one is that DeLay, while remaining in his No. 3 post during the Republican leadership shuffle, is gaining power. Less apparent is the effort, led by DeLay, to remove any residue of Newt Gingrich's influence on House Republicans. True, some of Gingrich's allies—chiefly majority leader Dick Armey and Linder, less so Boehner—may hold on. But they'll have less clout, as Livingston and DeLay run the House.

This is not a bad development for conservatives. Despite the media's insistence that congressional Republicans should move to the center, Livingston and DeLay aren't likely to. At least DeLay isn't. He's the most unswerving right-winger in the GOP hierarchy, and he didn't attract a challenger. Why not? "It's an honesty thing," says a House Republican. Conser-

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vatives like him and moderates appreciate his candor. Moderates are leery of Armey, who once suggested in print they should be tossed aside.

How exactly is DeLay increasing his power? Mainly by moving into policymaking. Under Gingrich, DeLay was merely a tactician, the guy who counted votes and mustered majorities. He had a seat at the leadership table, but not a loud or influential voice. Now it's clear he has a following consisting of people who look to him for cues. Plus he has the inclination to play a policy role. And the more Gingrichites booted from the leadership, the bigger the role.

Kent Lemon

Tom DeLay

DeLay never fit in with Gingrich. To win the whip's job in 1994, he ran against Gingrich's best friend, Bob Walker. (Webber ran DeLay's campaign.) Walker's top aides were then hired by Gingrich, and, not surprisingly, they clashed with DeLay's staff. Nor did DeLay get along with Armey. In 1995, he sent Armey a letter demanding that he stop criticizing DeLay in private. Then the split widened when Armey pulled out of the abortive anti-Gingrich coup last year and denied that he'd ever wanted to oust Gingrich. DeLay admitted his role, endearing himself to conservative firebrands like Joe Scarborough of Florida. "DeLay was straight with us," says Scarborough. DeLay also was never close to Boehner, who became conference chairman with Gingrich's help, or Linder, who was appointed to the campaign post by Gingrich.

In DeLay's view, Gingrich was secretive, mercurial, and insufficiently conservative. Livingston is more his type, a legislative insider, not a visionary with schemes for the next century. Also, DeLay and Livingston are what one House Republican calls "institutionalists." They chafed at Gingrich's attacks on the House. "Newt would trash the institution—the House bank, the pay raise, term limits," says a Republican aide. DeLay almost didn't sign the Contract With America in 1994 because it endorsed term limits, which he loathes. And he and Livingston are both conventional conservatives, with none of Gingrich's libertarian tendencies. DeLay is far closer to the Christian Right and sympathetic to its agenda.

DeLay's influence wasn't really needed in Davis's race against Linder, who was toast from the moment it was clear Republicans had slipped on Election Day. But DeLay encouraged Davis to run, then publicly backed him. Since Davis was a shoo-in, DeLay couldn't be accused of trying to be a kingmaker. Oddly, Linder sought to keep the campaign job by blaming Gingrich for the poor Republican showing on November 3. He told Mark Sherman of the *Atlanta Journal-Constitution* that Gingrich was trying to avoid blame by accusing others. "I remember when Newt Gingrich's wife left a press conference in tears when he blamed her," Linder said. "So I don't think he has any compunction about blaming me." Linder later told the reporter he "regretted" mentioning Marianne Gingrich.

Linder distributed a letter dated April 23 that complained: "Circumstances are conspiring to halt the momentum that favors our party and drag it to a standstill by November." Linder said the GOP base was "dispirited" and that Republicans should "set a simple, straightforward and focused agenda that not only energizes our base, but defends our principles." This didn't happen, yet Linder and his staff continued to predict solid Republican gains right up to Election Day. Republican colleagues said Linder's aides assured them that Republicans would win a minimum of 15 House seats and perhaps as many as 30. Instead, they lost 5.

DeLay stayed out of the Boehner-Watts contest, nominally, even though Watts backed DeLay for whip in 1994. It's not that DeLay has forgotten; he just doesn't want to be seen as power-hungry. Webber, after all, first met Watts when she solicited his vote for DeLay in the 1994 whip's race. It's clear DeLay could have stopped Webber, who is staff director of a House subcommittee chaired by David McIntosh of Indiana, from aiding Watts now. He didn't. So it's not hard to know whom DeLay likes for conference chairman. "This election is much bigger than J.C. Watts," says Watts. With that, DeLay is sure to agree.

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Democratic Divisions

by Michael Barone

"The differences are much deeper in the Republican party than in our party," says House minority leader Richard Gephardt. From the other side of the Democratic party, Al From's Democratic Leadership Council, comes the view that divided Republicans "have moved steadily out of the mainstream on a broad array of issues."

Story after story appears on the divisions in the Republican party; and divisions there are. But majority-seeking parties in a continental democracy are usually divided—"faction," as James Madison warned us, being a natural feature of our politics. And while it is certainly worth looking at divisions in the Republican party, it is also useful to look at those in the Democratic party, which may make a greater difference on important issues in the coming two years.

The obvious division—with players sometimes shifting over the lines, depending on the issue—is between From's New Democrats and Gephardt's Old Democrats; between those who want to expand government only a little bit, and with a genuine regard for traditional values, and those who want to expand government as much as they can get away with, with an eye toward "liberation"-minded values.

The Clinton administration wobbles from one side to the other: Hillary-led health care one year, Republican-led welfare reform the next. Clinton backed NAFTA and got it confirmed in 1994; but House Democrats squelched fast track in 1997 and 1998. Indeed, even the DLC took the line that Republicans were bringing up fast track a second time only to highlight Democratic divisions. In 1993-94, the Clintonites ditched the minimum wage in favor of the DLC-backed Earned Income Tax Credit. But in 1995-96, Ted Kennedy resurrected the minimum-wage increase, and for 1999 Gephardt promises the Democrats will get enough Republican votes to increase it again.

Kevin Chadwick

Richard Gephardt

The minimum wage, though, is small potatoes—in many parts of the country, market wages have risen above it faster than the Democrats can boost it. Social Security is the big enchilada. There, the split among Democrats is deep. Serious Democrats have come forward with proposals to devote part of the payroll tax to individual retirement accounts—senators Daniel Patrick Moynihan, Bob Kerrey, and John Breaux—and the DLC supports the idea. The White House has emitted encouraging noises; the president, it is said, sees this as an opportunity to set his place in history.

But in 1998, as in the 1980s, Democratic rhetoric held that Democrats wanted to save the system from evil Republican attempts to destroy it. Gephardt certainly seems less than enthusiastic about private-investment proposals, which he caricatures as allowing "individuals to invest in anything they want." He appears more favorable to economist Henry Aaron's proposal that the government set aside funds and invest them, something that Moynihan, for one, rejects out of hand.

There is a window of opportunity for Social Security reform. It's the kind of thing that requires a bipartisan consensus, which is unlikely after 2000, when one party or the other seems likely to control both the White House and Congress. A Gore administration would probably not back reform, and a George W. Bush administration would be unlikely to achieve it over Democratic opposition. Clinton has an opportunity to make a strong commitment to reform at the White House Social Security conference in early December. But absent such a commitment, Republicans are unlikely to move reform proposals forward. The window may be open, but they fear that if they go through, Clinton and the Democrats will slam it shut on them. How Democrats resolve their intra-party divisions will probably make all the difference on Social Security reform.

And so with Medicare. The bipartisan Medicare advisory commission is scheduled to report in March. Its co-chairmen, Democrat John Breaux and Republican Bill Thomas, may agree on a plan that switches

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the system from a government entitlement to a system resembling the federal employees' health plan, which gives beneficiaries the choice of several forms of insurance. But many Democrats want to retain the current open-ended spending program, loath to give up what they believe is a great political issue. Again, how divisions in the Clinton administration and among congressional Democrats are resolved will probably determine whether Medicare is reformed or left as is: an ever-ballooning claim on the taxpayers.

But not all politics, or policy, is federal. Republicans hold eight of the largest states' governorships, but in the very largest, California, Democrat Gray Davis has won a big victory and has big Democratic majorities in the legislature. Davis campaigned as a moderate, someone who would avoid the hard-edged choices sought by Republican governor Pete Wilson on issues like aid to illegal immigrants, and racial quotas and preferences. Davis says he will call the legislature into session and ask it to pass his education reforms, which are actually serious measures, though crafted to be minimally obnoxious to the teachers' unions.

But Democratic legislators in California, such as Senate president John Burton, are ginning up to pass measures sought by unions: one requiring overtime pay after eight-hour days rather than 40-hour weeks ("So much for flextime," says former Wilson press secretary Dan Schnur); another committing nearly half the budget surplus to a pay increase for state employees. These Democrats also want to revise workman's-comp rules, which will hit hard at the small businesses that generate most of California's jobs. And the trial lawyers—hungry to feast on Silicon Valley startups—expect favorable legislation and favorable judges. Davis has said he will enforce the referenda (passed over his objection) on racial quotas and bilingual education; but there are plenty of Democratic bureaucrats and staffers who are working to undermine them. How Davis will respond to this is unclear. He seems genuinely to understand the need for reform. But he has made a career of tending closely to the interests of every Democratic constituency.

Over the past few years, the splits in the Democratic party have gone largely unremarked, except for the wibbles and wobbles of the Clinton administration. But now Democrats have significant leverage in Congress; Gephardt speaks of his party's prevailing on campaign-finance reform, HMO regulation, tobacco taxes. And they have almost complete control in the nation's largest state. Voters, who like divided government but have been voting straight tickets increasingly in the 1990s, may have to choose in 2000 between a Republican government and a Democratic government. Watching how each party resolves its differences and deals with its divisions may help them decide.

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The New Race-Baiters

by Matt Labash

There was a time, not long ago—before Bill Clinton became our first black president—when the Democratic party was a domicile for racist demagogues like George Corley Wallace. In Wallace's 1970 race for governor of Alabama, his supporters circulated thousands of leaflets cautioning, "Wake Up, Alabama! Is This The Image You Want?" The image was of a virginal, corn-haired daughter of Dixie, sitting stiffly on the beach, surrounded by seven leering black boys.

Nowadays, the Democratic party is . . . well, it's still a haven for racial demagoguery. Consider the ad Missouri Democrats aired on behalf of their Senate candidate Jay Nixon. The ad thumped Republicans for the usual sins: despising Social Security, enriching the wealthy with tax breaks. But then it warned the listeners of the black radio station on which it aired: "When you don't vote, you let another church explode. When you don't vote, you allow another cross to burn. When you don't vote, you let another assault wound a brother or sister. . . . Vote smart. Vote Democratic for Congress and the U.S. Senate."

IT SOUNDED LIKE MISSOURI DEMOCRATS WERE DOING BATTLE WITH THE KLAN, NOT MILD-MANNERED REPUBLICAN SENATOR KIT BOND.

It sounded like Missouri Democrats were doing battle with the Ku Klux Klan, not mild-mannered Republican incumbent Kit Bond, who was endorsed by the local NAACP and would end up coasting to victory with a third of the black vote. Not surprisingly, Missouri Democratic party chairman Joe Carmichael turns slippery when I ask him if it's fair to depict Republicans as cross-burning church-detonators. "It was an ad that was produced by the Democratic National Committee," he says. "I think what the ad really says is, if you vote Democratic, you're voting for tolerance."

DNC spokeswoman Melissa Ratcliff, on the other hand, says, "It was a state party ad." That was also the line of DNC chairman Steve Grossman, when he admitted the ad was "wrong" on a pre-election *Crossfire* show. But when I inform Ratcliff that the state party said the ad came from the DNC, she backpedals: "I don't know; we may have helped them with it."

What happened in Missouri happened in black precincts across the country in the days before the election. While the media were tracing the etymology of "putzhead" and debating at great length whether Al D'Amato's Yiddish coinage amounted to an ethnic slur against Chuck Schumer, Democratic leaders went on a barely noticed race-baiting rampage to turn out African-American voters. Much of that effort was what the pros call "off radar." So far off radar, in fact, that on election night one network, in a short story on negative campaigning, actually dredged up the 1990 Jesse Helms ad, in which a pair of white hands wad up a job application after losing out to an affirmative-action hire. But there was no need to haul eight-year-old video out of the vaults. Fresh examples of race-baiting were close at hand, though they wouldn't have fit the morality play in which Republicans seek to divide by race, while Democrats urge harmony and inclusion.

Consider the Illinois Senate race. Incumbent senator Carol Moseley-Braun produced an ad juxtaposing Republican Peter Fitzgerald with an image of a Confederate flag. This was quite a stretch. Fitzgerald's lived in Illinois his whole life. What was her justification for painting him as a neo-Confederate extremist? One of Fitzgerald's staffers had passed out campaign literature at an anti-tax rally organized by Thomas Fleming, an advocate of Southern secession who edits the magazine *Chronicles* in Rockford, Ill.

In the Ft. Worth, Texas, district of Democrat Martin Frost, the county Democratic party sent black households flyers featuring a picture of Martin Luther King next to another picture of an angelic little black girl. While King "had a dream for all children," voters needed to take care not to "let Republicans take that dream away." Why? Because "Republicans are so desperate, they are willing to resort to anything—even voter intimidation—to keep Democrats from passing laws that help our community."

No excuse was too piddling for injecting race into the campaign. In Georgia, when Republican gubernatorial candidate Guy Millner called his white opponent "Lawyer Roy Barnes," Barnes suggested that people "who have stereotypes . . . for folks like lawyers, generally have stereotypes for other minorities. What, privately, does he call Jews? What, privately, does he call African-Americans?"

Up the eastern seaboard, Maryland's Democratic governor Parris Glendening destroyed Republican challenger Ellen Sauerbrey, though they'd spent

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much of the campaign in a dead heat. That is, until Glendening played the race card three weeks before Election Day. With an assist from adman Robert Shrum, himself no stranger to employing Klan imagery when taking on Republicans, Glendening carpetbombed Sauerbrey in TV ads that claimed she voted against "the civil-rights act" and that she had "a civil-rights record to be ashamed of."

The civil-rights act in question was a 1992 state bill that would have permitted sex-harassment suits to be brought in Maryland courts instead of federal courts. The bill was killed by a Democratic majority, and even Maryland's black House speaker voted it down. So over-the-top was Glendening's claim that he was even repudiated by his uneasy ally, Baltimore's black mayor Kurt Schmoke, who refused "to participate in a campaign to try to persuade people that she is a racist."

Black congressman Albert Wynn managed to top even Glendening's over-the-topness. Targeting every residence in his mostly black district in the Maryland suburbs of Washington, Wynn mailed Election Day get-out-the-vote cards that featured German shepherds and baton-wielding cops bullying blacks in Bull Connor's Alabama. The cards read, "A Voteless People Are a Hopeless People."

So eager were Democrats to deal the race card that even blacks weren't immune to charges of racism. In South Carolina, black Democratic state senator Robert Ford campaigned with a vengeance against governor David Beasley, the Republican incumbent. In an ad that ran 28 times between October 30 and Election Day on Columbia's largest radio station, Ford accused blacks who didn't come out to vote against Beasley of being "no different than the Ku Klux Klan." Why? Because, Ford charged, "Beasley and his Republicans" were about to "take away 50 years out of the civil-rights movement." Untrue, unless video poker, which Ford plays nightly and Beasley opposed, is a civil right. Beasley, who fought his own party by advocating the removal of the Confederate flag from the capitol dome, lost by seven points in a state where blacks constitute 20 percent of the electorate.

The campaign to provoke racial hysteria was not just local. President Clinton, the Democratic National Committee, and the Justice Department reinforced it on the homestretch. On the Saturday before the election, the DNC voiced suspicions, based on vague "reports," that Republicans would be engaging in "voter intimidation" to suppress turnout by minorities. How would they do this? By videotaping voters under the guise of guarding against fraud. (Why Americans, millions of whom are videotaped daily withdrawing cash from the bank and buying Twinkies at the 7-11, would be intimidated by a polling-place video went unexplained.) And on the Sunday before the election, Clinton played his part. In an interview with a reporter after "worshiping" with Maryland Democrats at a black church in Baltimore—one of several interviews the newly accessible Clinton did with black reporters that weekend—the president declared that "to scare people off from voting is totally abhorrent. . . . This is not American, this whole voter-intimidation business. . . . I would

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challenge the Republican party to stand up and stop it."

When reporters tried to substantiate this "voter-intimidation business," and almost none did, White House spokespeople and the DNC were hopelessly vague on the details of the Republican plot. Nonetheless, on the day before the election, the Justice Department entered the election campaign with a Nixonian flourish. Attorney general Janet Reno declared, "We will not tolerate harassment of minority voters." In order to protect minority voters, the Justice Department announced that videotaping voters "could constitute a violation . . . of the Voting Rights Act." What's more, in response to unspecified complaints about the possibility of "voter intimidation," Reno said the department would dispense 141 federal observers to five states.

STRANGELY, NONE OF THE JUSTICE DEPARTMENT'S MONITORS WAS SENT TO THE STATES THAT THE DNC HAD COMPLAINED ABOUT IN ITS PRESS RELEASE.

Strangely, none of these monitors was actually sent to the states that the DNC had complained about in its press release. In fact, none of the 141 observers was even sent to monitor "voter intimidation." Instead, according to the fine print on the Justice press release, they were sent to Native American and Chinese communities to make sure bilingual ballots were provided. Stranger still, after the election, no instances of minority "voter intimidation" were reported. The White House referred queries to the DNC. The DNC didn't know whether any instances had occurred, but congratulated itself on its preemptive vigilance.

Justice Department spokesman Will Mancino is the only person offering anything approaching an answer. He says Justice didn't find any widespread impropriety, though it wouldn't go public if it had—unless it was filing suit, which it isn't. As for the "complaints" that launched the investigation, he says he can't say exactly who made them. One came from a Congressional Black Caucus member. Four or so others came "from state representatives, Congress, but I can't elaborate further." Most, he says, were "concerned with the videotaping," although, he adds, "videotaping itself doesn't constitute a violation" of the Voting Rights Act.

As for the president, reinvigorated by his success at turning back the Republicans' un-American voter intimidation, he may want to reprise his 14-month long Initiative on Race. The one where he said something about trying to "be one nation together," to "move beyond division to community," to "get people together across all the racial . . . lines that divide America." Just like he did during Election '98.

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Live and Let Livingston

By Matthew Rees

Shortly after Bob Livingston started campaigning for speaker eight months ago, he was asked to explain the differences between him and his likely opponent, Dick Armey. He replied by telling a story about their approaches to fishing. "Dick likes to catch and release," said Livingston, "and I like to catch 'em and eat 'em."

As things have turned out, Armey isn't running for speaker. But the story is a fair indication of how Livingston, set to become the next speaker of the House, will tolerate half-hearted Republicans: He won't. And that's significant, because the most important challenge facing Livingston in the next Congress is not fiscal discipline, or impeachment, or checking his tremendous temper. The real challenge, given the GOP's slender House majority, is much simpler: Can he convince his Republican colleagues to stick together on anything?

Across the aisle, Richard Gephardt is predicting "a unified Democratic party that can work with moderate Republicans and get a lot of things done. I don't see it's going to be very easy for Bob Livingston." Indeed, the election results have emboldened not only the White House, but also congressional Democrats. They're renewing their efforts to pass bills regulating HMOs, curtailing campaign spending, and hiking tobacco taxes. Livingston's task is building enough support to stop these bills and others from getting through the House, and doing it without looking obstructionist or rewarding Democrats during the presidential season.

Livingston's mandate, in other words, is narrow. Four years ago, Newt Gingrich may have talked about transforming civilization, but his successor will be a glorified party whip, counting heads and cajoling Republicans to toe the party line. Livingston, a conservative technocrat, is better suited to the role of disciplinarian-in-chief than Gingrich. He's also better suited than Gingrich to lead a party that cares more about what happens in the coming week than in the coming millennium.

Livingston's coronation has been overshadowed by Gingrich's impending departure, yet his accession is the most dramatic evidence yet that in four years the GOP has turned from insurgency to incrementalism. In a caucus dominated by members elected in the past four years, he's been in the House for over two decades. Even more revealing is that the committee Livingston has chaired since the Republicans won their congressional majorities—Appropriations—has traditionally been the province of big spenders. As such, it's the *bête noire* of fiscal conservatives (he's the first Appropriations chairman to become speaker since 1881).

NEWT GINGRICH MAY HAVE TALKED ABOUT TRANSFORMING CIVILIZATION; HIS SUCCESSOR WILL BE A GLORIFIED PARTY WHIP.

In elevating Livingston, Republicans are handing the reins of power to someone whose sole mission was to fund the government. And while his outlook is clearly conservative, he's not the slasher Gingrich was. He makes distinctly unrevolutionary statements like, "My job is getting bills passed," and he gets along with Democrats. Gephardt called him "a nice, friendly person" last week, and he's had a civil relationship with David Obey, the moody senior Democrat on Appropriations. Moderate Republicans like him—he has a portrait of the late Silvio Conte, a long-time GOP liberal from Massachusetts, in his Capitol office—yet even they have worries about his background. "My biggest concern is that [Bob] will be willing to spend more rather than less," says Chris Shays, the House GOP's most influential moderate.

Indeed, the rap on Livingston, in addition to his being a spendthrift, is that he gives process precedence over policy. A few hours before announcing his candidacy for speaker, he sent Gingrich 15 demands

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designed to boost his authority as Appropriations chairman. It looked like a naked power grab, though it was also a reflection of Livingston's distaste for legislative chaos. Over his years as chairman, he sparred with conservatives who tried to tack abortion-related and other riders onto appropriations bills. Right-wingers who live by the maxim "personnel is policy" were similarly aghast when, on grounds of institutional expertise, he retained many of the Appropriations Committee's longtime Democratic staffers after the 1994 election. Livingston's top staffer at Appropriations, Jim Dyer, has a reputation for shafting conservatives, but early indications are that the top job in the speaker's office will go to Allen Martin, a longtime aide to Livingston and a trusted figure on the right.

For all the concerns about Livingston, he's received quite an endorsement from his Republican colleagues, not one of whom is running against him for speaker in the GOP's November 18 leadership elections. There was never even talk of Armey's getting into the race, and Chris Cox withdrew in less than 72 hours. Livingston is drawing support from all sides: junior conservatives like Matt Salmon, old-bull appropriators like Ron Packard, and outspoken moderates like Mike Forbes. How does he maintain this balancing act? "Bob has a basic conservative ideology," says congressman Pete King, a New York Republican, "from which he will wheel and deal."

Kevin Chadwick

Robert Livingston

Livingston would have faced a serious conservative challenge if the climate among Republicans today were the same as it was four years ago. But it's not. After November 3, there's a grudging recognition among House conservatives that few of their goals are going to be realized this term and that the best they can hope for is to limit the damage. The low expectations benefit Livingston, as does the desire for unity. Last week, I asked one House Republican if he had any reservations about the next speaker. This member, never shy about criticizing GOP leaders, said he was going to keep his concerns to himself.

The goodwill won't last forever, but Livingston is already enjoying a honeymoon; his lack of an opponent indicates House Republicans are willing to put aside their differences for now and unite to foster a climate advantageous to them and their party's presidential nominee in 2000. One reason Livingston was unopposed is that he's been campaigning for the speaker's job since March, when it looked like Gingrich would be leaving sometime in 1999 to run for president. Many months of schmoozing your colleagues everywhere from the cloakroom to the men's room, and dishing out nearly $2 million in campaign funds, can do wonders for your popularity.

All of this is a dramatic turnaround for the 55-year-old Louisianan, who in February was on the verge of announcing he wouldn't run for reelection. He changed his mind after urging from constituents and the decision by Rep. Bill Paxon, another potential candidate for speaker, not to seek another term.

It's easy to see why Livingston wanted to get out. Having first won a special election in 1977—the incumbent was ousted for voter fraud—he's often complained about the financial strain of raising a family on a congressman's salary. His family tree includes a drafter of the Declaration of Independence and Andrew Jackson's secretary of state, but it didn't bring him any money. For his first 17 years in the House, he toiled in obscurity, devoting his energies to the contras and the anti-abortion cause. But unlike other Louisiana politicians, he didn't stand out: He wasn't particularly colorful, wasn't corrupt, and didn't even have a southern accent. When the GOP won its House majority in 1994, he launched a surprise bid to chair the GOP caucus—the number-four position in the leadership—but withdrew when Gingrich offered him a post he couldn't refuse: Appropriations Committee chairman (four more-senior committee Republicans were either in ethical trouble or deemed too moderate).

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Livingston didn't disappoint. Shortly after the election, he declared, "We are going to be revolutionary. This is not patty-cake. . . . This is serious. We're going at their throats." He appeared at the committee's first meeting with a six-inch Cajun scalpel—a knife traditionally used to skin alligators—and said he intended to use it on the budget.

By the time Congress adjourned in 1996, Livingston had overseen a $53 billion reduction in federal spending and downsized or eliminated hundreds of federal programs. (In his book *Lessons Learned the Hard Way,* Gingrich described Livingston's appropriations work as "one of the unsung feats of heroism in the 1995-97 Congress.") Democrats screamed about the cuts, yet the most nettlesome critics were six freshman conservatives. Their constant pressure for deeper spending cuts provoked intraparty tensions. One episode in particular highlights what can happen when a Republican dares to cross Livingston.

In 1995, Mark Neumann, a nerdy Wisconsin Republican, arrived in Washington obsessed with reducing the deficit. In reward for his narrow victory, he was given a seat on Appropriations. He responded by questioning Livingston's commitment to spending cuts, and one day in the fall of '95 he announced that he was going to vote against a defense-appropriation bill, an unusual move for a freshman member of the committee. When a lobbyist told him he wouldn't be contributing any money to Neumann's campaign, the congressman stopped by Livingston's Capitol quarters and asked whether the chairman had been behind the threat. Livingston blew his top: "Get the f— out of my office!" he repeatedly screamed at Neumann so loud that it drew the attention of the Capitol police.

LIVINGSTON BLEW HIS TOP. HE SCREAMED AT NEUMANN SO LOUD THAT IT DREW THE ATTENTION OF THE CAPITOL POLICE.

The dispute didn't end there. Livingston was so angry he announced he was reassigning Neumann to a less influential subcommittee. Freshman Republicans revolted, but Livingston said if his decision were reversed he would quit as chairman. In a compromise worked out with Gingrich, Neumann was removed from Appropriations altogether and given a slot on the Budget Committee.

The episode raises the question of whether Livingston is temperamentally suited for the high-stress job of speaker. While his everyday manner is genial, a survey of congressional staff a few years ago cited him for the third-worst temper on Capitol Hill. He's also thin-skinned about his track record as Appropriations chairman. When Stephen Moore, a budget analyst at the Cato Institute, wrote a paper last year on the GOP's failure to cut spending, Livingston distributed to every member of the House a two-page letter challenging Moore's assertions. Some saw this as overreacting, but those who know Livingston say it was typical. Obey, the fiery Democrat on Appropriations, has said Livingston makes him "look like a pussycat; he's a door-slammer, a furniture-thrower, a chest-poker." But, says Obey, "like me, he's over it in five minutes and apologizing." Livingston says he's learned to control his temper and doesn't hold grudges. That's good: Building party unity will be critical, but forgiveness is a prerequisite for managing a group as unruly as House Republicans.

One reason to suspect Livingston will be better at uniting the party than Gingrich is that he's much more reliable. Gingrich was notorious for telling his colleagues to do X, then a few hours later advocating Y. Staffers joked about all the management techniques Gingrich said Republicans should follow but himself violated daily. Livingston is known as a straight-shooter who doesn't make promises he can't keep. He also plans to travel less than the peripatetic Gingrich, calling himself "more of a stay-home type of speaker." The traits they share are a passion for military history and a soft spot for big-think writers: Ayn Rand's *Atlas Shrugged* is one of Livingston's favorite books.

In the long term, Livingston is unlikely to develop much stature as speaker. There will be little legislative activity in the next two years, and after the 2000 election, the environment is likely to be dramatically different. If a Republican takes the White House, Livingston's job will be pushing through the president's agenda. And if the president is a Democrat, the House majority is likely to be Democratic, in which case Livingston won't be speaker and will probably flee Washington.

Livingston, in other words, has only two real responsibilities for the next two years: build enough party unity to prevent Democratic measures from passing, and create a climate beneficial to the Republican presidential nominee in 2000. He told me earlier this year that his goal, if elected speaker, would be to run the House so as to guarantee 40-60 years of GOP majorities. Achieving a majority beyond the next two years would be a good start. ♦

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First They Came for Pinochet . . .

By Jeremy Rabkin

When British authorities arrested the former dictator of Chile, General Augusto Pinochet, in London last month, the story made front-page news around the world. The episode deserved the attention, but its real significance escaped the notice of editorial writers. What is at stake in this drama is not "justice" but a new version of international law.

Bit by bit, without fanfare, international law is acquiring a fantasy counterpart—the "customary law of human rights"—that is the special preserve of activists and ideologues with their own agendas. Like judicial activists on the domestic scene, the promoters of this new international "law" make up the rules as they go along, in defiance of ordinary principles of consent. Whether this "law" can establish itself as a serious factor in international affairs is the ultimate issue in the case of General Pinochet.

In making the arrest, the British acted in response to an extradition request from a Spanish magistrate, who was himself acting independently of the Spanish government. He sought to try Pinochet in Spain for murders committed after the bloody coup that brought the general to power in 1973.

Both the British and Spanish governments then affirmed that the matter must be left to the courts. British prime minister Tony Blair insisted from the outset that Pinochet's fate was "a legal, not a political, question." Foreign secretary Robin Cook agreed: It was "not proper, not possible" for the British government to intervene on a matter of "due legal process." Spain's prime minister, José María Aznar, echoed this view: "It is a question that is in the hands of judges." True to his word, when a court in Madrid confirmed the legality of the extradition request, Aznar duly forwarded the request to Britain—acting as "no better than a mailbox" for the prosecuting magistrate, as Chile's indignant foreign minister put it.

All the while, the central questions in the whole affair, though very much in the foreground, were hardly noticed. If, as the Spanish judges maintained, a Spanish trial of Pinochet was authorized by "international law," how did this come to be the law? Is this law simply made and implemented by judges? And if that is so, how did judges get to be in charge of such basic foreign-policy judgments as whether to put on trial the former head of state of a foreign country?

The short answer is that Pinochet's arrest never was a legitimate application of existing international law. To understand the long answer, Americans should think back to the heyday of judicial activism in this country during the 1970s.

> INTERNATIONAL LAW IS A STRANGE AND CONFUSING THING THAT LENDS ITSELF TO THE KIND OF BUCK-PASSING SEEN IN THE PINOCHET CASE.

For elected politicians, judicial activism was a way of passing the buck to judges: "I personally disapprove of abortion-on-demand [forced busing for school integration, denying government aid to parochial schools, etc., etc.], but the courts have spoken and the law is the law." At home, we have almost cured ourselves of that addiction. In the end, angry voters noticed that the policy ruminations of Justice William Brennan had little to do with the actual words of the U.S. Constitution.

But international law is a strange and confusing thing—even to most judges. It thus lends itself to the kind of buck-passing we have seen in the Pinochet case, with both politicians and pundits eager to be let off the hook. Challenged to defend a major foreign-policy decision, they fell back on disclaimers: "Oh, international law—a technical matter." But judicial activism in the name of international law is an important and disturbing trend. International law is, at bottom, about relations between sovereign states—in other words, about crisis and stability, war and peace. Do we really want this turned over to lawyers with attitudes? For all concerned about the stability of rela-

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tions between states, the Pinochet case should be a wake-up call.

I

People who associate international law with the vaporings of the U.N. General Assembly forget that this branch of jurisprudence is much older and more serious than the United Nations. The U.S. Constitution makes a place for it, authorizing Congress to "define and punish . . . offenses against the law of nations." Some of the most well-established principles of international law were challenged in the Pinochet matter.

The central premise of international law is that independent states must respect each other's sovereignty. One sovereign state cannot interfere with what another nation's government might do in its own territory. There have always been exceptions. The oldest is that, while every nation has criminal jurisdiction over its own territory, it should not assert this jurisdiction against diplomatic envoys from other countries. Chilean lawyers cited diplomatic immunity on behalf of Pinochet. Many commentators derided the claim on the grounds that the general was not visiting Britain in any diplomatic capacity. More than two weeks after his arrest, however, the British government acknowledged that Pinochet was, in fact, heading an arms-buying mission for the Chilean government and at the airport, on his arrival in Britain, had been accorded diplomatic treatment.

IT IS A HOSTILE ACT FOR ONE COUNTRY TO PROSECUTE THE TOP OFFICIALS OF ANOTHER COUNTRY FOR ACTIONS THEY TOOK IN THEIR OWN COUNTRY.

There are other long-standing exceptions to the basic principle that each country is responsible for its own territory. As far back as 1812, Chief Justice Marshall held that U.S. courts could not rectify the seizure of an American ship by Napoleon, even when the ship returned to American waters, because the courts of one country could not sit in judgment on the official acts of another government.

This "act of state" doctrine has received some modification, but it is still basic law in the United States and almost every other country. *Governments* can protest the actions of other governments through diplomatic channels—or with sterner measures. But the national courts in one country do not have jurisdiction to judge the acts of a foreign government. Spanish judges, however, claim that this traditional doctrine does not protect the former dictator because of the brutality of his government—even though he was, at the time of the killings, the lawful head of state in Chile and recognized as such by the government of Spain.

The territorial principle also has exceptions by which most countries assert some degree of extra-territorial jurisdiction. Most countries claim some authority to punish acts committed by their own nationals outside their own territory. Most also claim some authority to punish extra-territorial acts that injure their citizens or their national security. The Spanish magistrate who sought Pinochet's extradition based his jurisdiction, in part, on the fact that Spanish nationals in Chile were among the victims of the Pinochet government. But the number of Spanish victims was very small, and proving that Pinochet knew or approved of these killings would be difficult. So the Spanish authorities also claimed the right to try Pinochet *for crimes against Chileans*—on the theory that "crimes against humanity" had become a matter for "universal jurisdiction," justifying trial by any country that happens to lay its hands on the perpetrators.

Traditionally, the one crime for which all countries acknowledged such a universal jurisdiction was piracy on the high seas—because pirates had no home state. There has been much talk of extending the category to terrorists and perpetrators of atrocities. But there is scarcely any precedent for asserting universal jurisdiction against such criminals when their home countries object. And to apply the doctrine to a former head of state—and one traveling under diplomatic passport, at that—was unheard of before Pinochet's arrest.

The "precedent" cited most frequently in defense of the arrest is the trial of former Nazi leaders by the Nuremberg tribunal after World War II. But the Allied Powers that organized the tribunal were at the time the only lawful government in Germany. In 1960, when Israel tried Adolf Eichmann, a revived West Germany did not object, nor in later years did it object to other countries' assertions of jurisdiction over Nazi war criminals. When the United States put Mañuel Noriega on trial in Miami (for offenses against American drug laws, rather than for some "universal" crime), it had the enthusiastic support of the new government of Panama, which was eager to get the former dictator out of the country.

There were excellent reasons, then, why Britain's High Court refused to allow General Pinochet's extra-

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dition in a decision handed down on October 28. At this writing, a final ruling by the House of Lords is pending. But a new rule is on its way to being established, whatever the House of Lords does. And what makes that rule worrisome is that, as English judges have recognized, the norms it would supplant have powerful justifications.

It is certainly unsurprising that nothing like the proposed Spanish trial of Pinochet has ever been attempted before. It is, on the face of it, an extremely hostile act for one country to prosecute the top officials of another country for actions they took in their own country.

There may be situations where a country is unable or unwilling to try its own war criminals and does not object to prosecutions abroad. That was the theory behind the proposed new International Criminal Court, which, if ratified by 60 nations, will have jurisdiction over war crimes and crimes against humanity. But even the proposed statute for the ICC does not assert universal jurisdiction. Its authority will extend only to defendants from signatory states or defendants whose victims come from signatory states.

The principle asserted in the Pinochet case is far more sweeping: Any country can prosecute any foreign official it thinks guilty of atrocities requiring punishment. Any country, then, might put former Soviet leaders on trial or former Chinese Communist officials. It is not even clear the precedent could be limited to *former* officials. If Pinochet's current status as a member of the Chilean senate and the head of an official delegation to Britain could be swept aside, any official traveling abroad on official business might be open to arrest for his past crimes (as those crimes may be defined by the arresting country). This is hardly a rule calculated to promote international diplomacy. It is, in fact, an invitation to international conflict, as hostile countries add prosecutions to their inventory of tactical maneuvers.

It says a great deal about the current drift of international law that the world's chief peacekeeper, U.N. secretary general Kofi Annan, saluted the arrest of Pinochet as a sign that "international human-rights law is coming into its own."

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II

The Pinochet case would be much easier if the evils of the Chilean dictatorship were in some way unique. But many governments, particularly in that era, had far more blood on their hands. Indeed, it was the relative humanity of the Pinochet regime that contributed to its notoriety. By allowing thousands of Chilean leftists to leave the country, it helped seed a well-organized international opposition. During the 1970s and '80s, Chile was one of the favorite targets of denunciation in the U.N. General Assembly. But it was not unique even in this. Israel was even more often a target, and so, quite often, was the United States.

Pinochet's military government was responsible for some 3,000 killings, most of them in the first year after the coup, when the military feared a takeover by left-wing groups openly armed by Castro's Cuba. Many of the killings were done with extreme brutality and sadistic glee, and years later the Chilean secret police were still hunting enemies or settling scores. Only a few perpetrators have been tried in Chile, however, because Pinochet decreed an amnesty for the military before leaving power. But he did give up power in a peaceful transition, after losing a free election. Pinochet's democratic successors accepted the amnesty as the price of stability. In all of this, Chile pioneered what has become the general pattern in South America, Central America, South Africa, and Eastern Europe when dictatorships have peacefully given way to elected governments.

The Chilean government's strong protest of the prosecution of Pinochet is understandable. Even some prominent Chileans on the left (like the Socialist foreign minister) have denounced Spain for upsetting the political compromise that Chilean politicians had worked out for their own country. If the Pinochet case were to establish a new general rule, it should worry Europeans, for the new democracies in Eastern Europe and the former Soviet Union would all be open to outside trials, upsetting their internal peace terms. Western countries should also worry about the effect on dictators still in power. Cuban exiles immediately urged Spain to prosecute Fidel Castro, who is responsible for many more murders than Pinochet. Spanish authorities insisted that as a current head of state, Castro has a different status. But will he be likely to relinquish power voluntarily if doing so makes him vulnerable to prosecution elsewhere in the world?

None of these obvious considerations, however, seems to have had much effect on European opinion. Soon after Pinochet's arrest, France, Switzerland, and Sweden announced that they would seek his extradition for trial in their own courts if Spain declined to press its claims. Other countries made their own claims, and finally even Luxembourg announced its readiness to host a trial of Pinochet. The European Parliament passed a resolution urging Britain to extradite. The prime minister of France and the new foreign minister of Germany welcomed the prospect of a Pinochet trial in particularly enthusiastic terms.

European governments appear to be assuming that the precedent set by a Pinochet trial would not get out of control. And with some reason. When the British and Spanish governments insisted that the matter was strictly "legal" or "judicial," they were, in fact, taking a political stance. The British home secretary retained undisputed authority to order Pinochet's release. His government simply declined to do so. The Spanish cabinet also had the authority to block the extradition sought by the investigating magistrate. The Spanish government simply chose not to exercise its power. But the next prosecutions may not be in countries with such suave discretion, and the target countries may not be as isolated as far-off Chile.

EUROPEAN GOVERNMENTS APPEAR TO BE ASSUMING THAT THE PRECEDENT SET BY A PINOCHET TRIAL WOULD NOT GET OUT OF CONTROL.

III

Meanwhile, the pretense that the prosecution was on automatic pilot gave weight to the parallel pretense that there is already an international law to cover such cases. But there is no treaty by which Chile or any other country could be seen as consenting in advance to Spain's claim of jurisdiction. What there is, instead, is a formless process by which scholars extrapolate new principles of "customary international law."

Customary law was the original basis of international law. The idea is that practices long accepted as obligatory acquire the status of rules of law. In its traditional applications—the "act of state" doctrine and diplomatic immunity are examples—this makes a good deal of sense. But the whole point of customary law as traditionally conceived was that it required a long record of practice. In recent decades, advocates have become so entranced with the notion of unwritten law that law reviews now speak of "instant customary law." The point is to get around the awkward formalities of ratifying actual treaties.

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Thus, advocates have insisted that human-rights standards should be seen as binding, as a matter of "customary law," even on countries that have not ratified the conventions in which these standards are spelled out. This is the doctrine endorsed by the most recent *Restatement of Foreign Relations Law*, a prestigious treatise published by the American Law Institute. In 1987, the third *Restatement* asserted that basic standards of international human-rights law had become binding on the United States—even though the United States had not then ratified any of the relevant treaties.

But for advocates of customary law, the actual texts of treaties are only a jumping-off point. Professor Louis Henkin, the chief reporter for the *Restatement*, argued in the early 1990s that the list of basic rights recognized in the *Restatement* should be expanded to include "sexual autonomy"—that is, gay rights—which is recognized in the human-rights conventions only in the sense that some advocates claim it is recognized in the U.S. Constitution. Other advocates think that the right to a clean or safe natural environment has become a human right recognized by customary international law. Still other scholars and advocates claim there is a right to affirmative action for racial minorities and to special state protections for minority cultures and languages.

Kevin Chadwick

Gen. Pinochet

The Pinochet case exemplifies the free-floating way in which this "law" develops. Spanish judges have cited, as the main justification for their assertion of jurisdiction, the fact that almost all countries have now ratified the U.N.'s Convention on the Punishment of the Crime of Genocide. But that convention defines genocide as a crime directed at distinct ethnic, racial, or religious groups. Furthermore, the convention imposes an obligation on countries to try their own perpetrators in their own courts and says nothing at all to authorize trials by third countries. The Spanish judges insist, however, that it is *in the spirit* of the Genocide Convention to extend it to crimes against distinct "political or ideological" groups and to allow trial by third countries as a matter of universal jurisdiction.

The appeal of customary law for advocates of human rights is that it allows them to assert a new "law" without securing the specific consent of governments—that is, of politically responsible officials. Instead of political leaders putting the terms of a treaty up for debate before a ratifying legislature, we have judges inferring principles from a vague "international consensus," independent of any official acts of governments. Human-rights law particularly lends itself to such treatment because, though there are now a considerable number of international conventions in the area of human rights, all of them are statements of ideals with no provision for enforcement. Instead, there are international gatherings at which speeches are made and reports are read.

What is almost always missing is precisely the ingredient that traditionally was required to establish a customary practice as law—namely, the recognition by governments, through their official actions, that some international norm is obligatory, as when one country, responding to the protest of another country, makes some payment or concession in acknowledgment that it has violated an international norm. Thus, Louis Sohn of Harvard Law School has rightly observed that "states never really make international law on the subject of human rights. It is made by the people who care: the professors, the writers of textbooks and casebooks, and the authors of leading articles in leading international law journals."

Many advocates urge that American courts should apply customary international human-rights law—that is, norms recognized or fancied as law by law professors—within the United States. In fact, over the last decade, U.S. courts have begun to allow tort claims by foreign nationals for human-rights abuses in their home countries. And a few recent cases have targeted U.S. companies for liability for the environmental depredations or labor practices of their operations in other countries. The doctrine of the *Restatement of Foreign Relations Law* suggests that such cases could also

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be brought against state and local officials within the United States. Preparing for such possibilities, the American Civil Liberties Union (in cooperation with Human Rights Watch, where many ACLU veterans work) has been publicizing international human-rights norms and their application to American practices.

Probably such maneuvers won't get far before provoking a reaction from Congress. And no one disputes that Congress has the authority to make laws overriding the application of treaties or international customary-law norms, at least within the United States. The more urgent question is what other countries will do with this law.

IV

If customary human-rights law does gain momentum, it is likely to be, in the main, a law made in Europe. In trying to project its future course, that is the crucial fact to reckon with.

The countries of Western Europe have little concern about their national sovereignty. They have already yielded remarkably broad powers to the European Union. The European Court of Justice, for example, has claimed (and frequently exercised) the power to invalidate laws enacted by national parliaments. And the policy-making organs of the European Union are notoriously removed from direct democratic control. There is a European Parliament, but it has very few powers and no actual legislative power.

At the same time, Western Europe is quite committed to ambitious schemes of human-rights protection. There are many reasons for this, not all of them bad. But human-rights commitments seem, at least in part, a way for Europeans to exorcise the demons of the past. In Germany, a group of notable writers hailed the arrest of Pinochet for assuring "one of the great mass murderers of our century his long-overdue punishment." That puts Heinrich Himmler in a comfortable perspective for today's Germans.

Apart from other differences that might be worth noticing, however, Pinochet was different in the way he left power. Unlike Pinochet, the Nazi leaders (and their collaborators in France, Italy, and elsewhere) were not voted out of office, but had to be blasted away by the Allied Powers. A lot of Europeans, in their current enthusiasm for human rights, prefer to forget this fact.

At any rate, opinion in Western Europe is quite hostile to the deployment of force in international affairs. The EU itself has acquired almost all the earmarks of a sovereign state—except that it has no army of its own. It puts a lot of trust in "law." Public reaction in most of Western Europe was highly critical of the U.S.-led war against Saddam Hussein. Many writers in Germany were nearly hysterical in their opposition to U.S. bombing at the start of the war and said quite openly that as victims of U.S. bombing, Germans understood how terrible it could be. Good Europeans now condemn all resort to force as "immoral."

That attitude seemed to drive the negotiations over the new International Criminal Court. The United States sought safeguards, such as a requirement that prosecutions have the approval of the U.N. Security Council (where the United States has a veto). The Europeans would have none of it. So the ICC statute now includes, in its definition of "war crimes," the "bombarding, by whatever means" of "buildings which are undefended and which are not military objectives" and the intentional "launching [of] an attack in the knowledge that such attack will cause incidental loss of life or injury to civilians or damage to civilian objects . . . which would clearly be excessive in relation to the . . . overall military advantage anticipated." Many observers think that pretty well describes the U.S. cruise-missile attack on a pharmaceutical factory in Sudan last summer. But when actual genocidal massacres broke out in Bosnia, the EU was paralyzed, and American military intervention was required to stop the bloodletting.

Meanwhile, the ICC statute also defines "crimes against humanity" to include the "forcible transfer of population"—which, as the Israeli delegate protested at the conference (and as Arab delegations boasted) would make routine policies of the Israeli occupation on the West Bank into "crimes against humanity." Given this provision, Israel refused to sign the ICC statute. No European country blinked an eye at the establishment of a court to prosecute "crimes against humanity" that is likely to target the very country born in the wake of the worst genocide of this century and one of the countries most seriously threatened by murderous neighbors. Europe, which would do nothing to save Israel from destruction by Iraqi weapons, will offer to try the perpetrators—if someone else manages to corner and capture them.

The Clinton administration, initially a strong supporter of the idea of an international criminal court, finally decided the venture was too dangerous for Americans and has been lobbying other countries not to ratify the project in its current form. But even without U.S. participation, the mere existence of the ICC treaty may spur the growth of customary international law, beyond what is in the actual text of that treaty. So, for example, the ICC statute forbids the new court to take jurisdiction of crimes committed before the new

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court goes into effect. But customary law is so vague that it is hard to know when it may go into effect or where it may be applied. General Pinochet had visited Britain several times before his current visit and had always been received with official honors as a former head of state. He arrived in October with no notion whatever that he might be suddenly held for trial for actions of his government in Chile decades ago.

This could not happen to Colin Powell or William Cohen or Ariel Sharon or Shimon Peres. Or could it? Would our allies join us in protesting an arrest and trial of such a figure by Algeria, say, or Malaysia? And would they support us if we retaliated with force? Perhaps the threat of American or Israeli retaliation is enough to prevent such indignities. But what sort of "law" is it that depends for its safe application on the assumption that it will never be applied to countries powerful enough to resist it? In fact, it is all too much like the historic character of international human-rights law, which has never been invoked in any serious way against the worst tyrannies—even those that have signed the human-rights conventions (such as the old Soviet Union and North Korea, which were proud signatories of the International Covenant on Civil and Political Rights).

In the end, the United States may not be able to cajole Europe into abandoning the sort of ventures exemplified by the Pinochet case. But shouldn't we have tried to resist a trend so obviously threatening to American interests? Might we at least have registered our disapproval?

Not in this administration. The White House initially insisted that Pinochet's arrest was "an internal matter between the governments of Britain and Spain." Early in November, the Justice Department let it be known that it was considering seeking extradition of Pinochet to stand trial in the United States. But the press was told that Janet Reno had not yet been consulted. Presumably, the president will also deny responsibility for how these "legal matters" develop.

Past administrations have, on some occasions, deliberately defied international law—or what other countries took to be the pertinent norm of international law. They did not, however, leave international law to be redefined by judges and bureaucrats. Yet in this administration, buck-passing is the key to survival. In foreign policy as elsewhere, the Clinton administration tries to leave tough issues to others and hide behind legal dodges. Perhaps, too, our current leaders do not plan to travel abroad after they leave office. ♦

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The U.S. Male

Tom Wolfe's Portrait of Manhood in America

By John Podhoretz

The title, *A Man in Full*, is the first of many brilliant strokes in Tom Wolfe's rich, crazy, flawed, and deeply moving new novel. *A Man in Full* is, first and last, a meditation about *manhood*—about what it means to live in a nation that worships boys and their games rather than men and their struggles.

Manhood and boyhood have been enduring subjects in Wolfe's work. In his early writings, he reveled in the way 1960s culture was turning men into boys—in the energy and enthusiasm created when boyish energies are unleashed upon the world. In his second collection of essays, the 1968 *Pump House Gang*, Wolfe observed that the United States was in the midst of a "happiness explosion," and all the pompous intellectual talk about alienation in America was merely window-dressing for a cultural revolution that elevated the sensation-seeking pleasures of youth above everything else. That same year, in *The Electric Kool-Aid Acid Test*, he offered a joyous portrait of men in their thirties and forties, calling themselves the "Merry Pranksters," who tried to relive or extend their adolescence well beyond the stretching point by traipsing around America on a Day-Glo bus.

But by 1976's *Mauve Gloves & Madmen, Clutter & Vine*, Wolfe had begun to rethink his celebration of boyishness. In the essay "Jousting with Sam and Charlie," he paid tribute to the bravery of American pilots in Vietnam who got up at 5:45 every morning to do their jobs the best way they knew how—even though it was clear that the war and their missions were doomed.

Three years later, in *The Right Stuff*, Wolfe moved back in time from Sam and Charlie to Chuck Yeager, the great American test pilot of the 1940s and '50s, and to the original Mercury astronauts of the early '60s. The quality Wolfe believed these men shared was manhood at its best: a spiritual stillness forged from equal measures of self-confidence and fatalism.

Farrar, Straus and Giroux

Tom Wolfe
A Man in Full
Farrar, Straus and Giroux, 742 pp., $29

His 1987 novel, *The Bonfire of the Vanities*, might have been called "The Wrong Stuff" since, with the exception of a tough Bronx judge, not a single male character in the book has an ounce of manhood in him. The protagonist, Sherman McCoy—the Wall Street broker who fancies himself a "Master of the Universe" and is brought low because of his vanity—experiences a moment of doubt early in the novel when he realizes he can't explain what he does for a living to his six-year-old daughter: Unlike every father in every generation before his, Sherman does nothing tangible, creates or cultivates nothing by hand.

That isn't true of Charlie Croker, the "man in full" at the center of Wolfe's new novel. Croker is a real-estate developer who has been brought low *because of* something tangible he created—a failing office complex in suburban Atlanta that, in a fit of vainglory, he named after himself. At first glance, Croker seems merely another Master of the Universe, transferred to the New South. He's sixty years old, with a colossal ego and a gorgeous second wife. We meet him as he leads a quail-hunting expedition on his plantation, a huge cash-drain of a place with fifty-nine horses and a servile black staff who call him "Cap'm Charlie"—the kind of wild excess that led the New Yorkers of *The Bonfire of the Vanities* into a spiritual and moral sewer.

But Charlie Croker is no Sherman McCoy. He knows the depth of his own folly, and even on horseback, in the opening pages of the novel, worry about the financial wreckage of his "Croker Concourse" burns in him "like an inflammation":

> He, Charlie, was a one-man band. That was what a real estate developer was, a one-man band! You had to sell the world on . . . yourself! Before they would lend you all that money, they had to believe in . . . *you*! They had to think you were some kind of

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> omnipotent, flaw-free genius. Not *my corporation* but Me, Myself & I! His mistake was that he had started believing it himself.

And while Sherman McCoy panics at the first sign of trouble, Croker proves far more formidable. In the amazing second chapter of *A Man in Full*, Croker is subjected to a "workout" by officials at his bank—a hazing session whose purpose is to humiliate him and crush his spirit so that he will be amenable to the painful steps he will have to take to settle his gigantic debt. His bank officer, a weasel with the Dickensian name of Raymond Peepgass, is intimidated by Croker:

> Christ, he was a brute, for a man sixty years old! He was an absolute bull. His neck was wider than his head and solid as an oak. . . . Croker was almost bald, but his baldness was the kind that proclaims *masculinity to burn*—as if there was so much testosterone surging up through his hide it had popped the hair right off the top of his head.

Peepgass watches with glee as the "workout artiste" at the bank, Harry Zale, tries to take Croker apart. And though every single excess in spending that Zale details seems appalling and Croker's recalcitrance seems petty, Zale's conduct comes to seem contemptible because it is so profoundly unmanly. With the swagger and false masculinity of a Master of the Universe, Zale mocks Croker, his downhome accent, even his war record in Vietnam. When Croker objects to selling his plantation because of what he calls "a dimension that involves pain and suffering, that involves a human cost," Zale goes for the kill:

> "Hey, wait a minute," said Harry, lifting both hands, palms outward, and casting his eyes down in the gesture that says, Please, no more. "I understand pain. I understand suffering. I understand human cost." Now he looked straight at Croker, with a gaze that bespoke the utmost sincerity. "I've been there. I was in the war. . . . I lost four fingers. . . ."
>
> With that he raised his right fist above his head as high as it would go, with the back of his hand twisted toward Croker, so that it looked like a stump of a hand with only the ridges of the four big knuckles remaining. Then he raised a single finger upward, his middle finger, and kept it that way, a look of quizzical sadness on his face.
>
> "Sell it," he said.

Peepgass is thrilled by Zale's ugly triumph, until Croker rises from his chair and, limping from an old football injury, curses him. "All at once," Wolfe writes, "Peepgass was aware that everybody in the room, at both ends of the table, was looking at *him*":

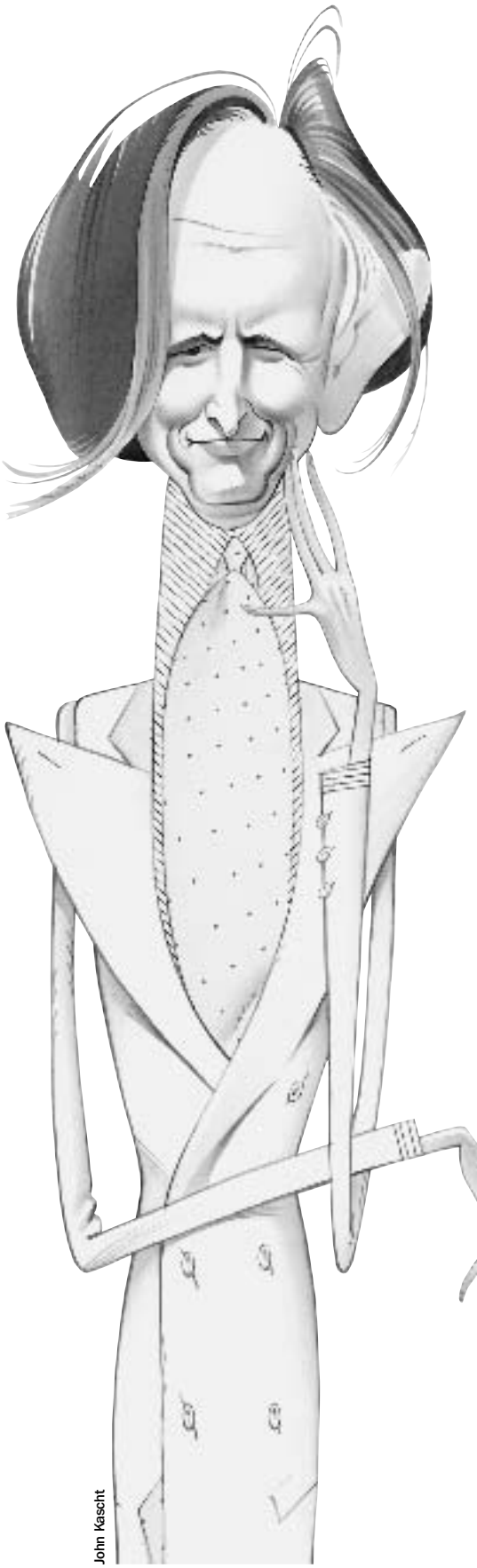
> A moment ago he had felt avenged against Croker and his entire saber-toothed ilk. And now he stood here paralyzed while a scalding realization spread through the very lining of his skull: "I can't take this man on! Not even verbally!"

To which Croker "shook his head disdainfully and turned away and continued his gimp-legged retreat from the room."

As the novel progresses, Peepgass finds himself trying, almost literally, to become Charlie Croker. He devises a daring illegal scheme to take over Croker's real-estate holdings and even finds himself making time with Croker's first wife. His own wife had thrown Peepgass out after learning that he had impregnated a woman on a business trip to Finland, and rather than take manly responsibility by admitting his paternity, Peepgass is fighting his Finnish mistress in court. Only by imitating Charlie Croker can Peepgass turn himself into a simulacrum of manhood.

But just how manly is Charlie Croker? He would seem to have every credential—college football star, decorated veteran, brilliant marksman, so strong and vital that he can capture a rattlesnake with his hands. Still, his financial woes seem to make him shrink. He is increasingly incapacitated by his football knee. He cannot sleep at night. Worse, he becomes (or fears he has become) impotent.

And he thinks only of himself. Despite his professed concern for the "human cost" of selling his plantation, Croker doesn't blink at laying off


John Kascht

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a thousand workers in the only part of his financial empire that actually makes any money—a wholesale food business. That decision sets off a catastrophic chain of events in the life of Conrad Hensley, a twenty-three-year-old Californian who wears "the droopy mustache that young men grow in hopes of appearing older and graver and . . . well, tougher."

Conrad works the graveyard shift in a Croker Global Foods warehouse outside Oakland, and Wolfe's account of Conrad's descent into hell is the most powerful and moving writing he has ever done. First, we follow Conrad on his last night at Croker Global, where he labors as part of the "Suicidal Freezer Unit"—working eight-hours in sub-zero temperatures moving gigantic masses of frozen food around on forklifts.

> He squatted again and lowered the carton onto the pallet on the front of his jack. When he stood up, a jolt of pain went through his lower back. He glanced down—
>
> Blearily, in the periphery of his vision, he could see little glints and sparkles. Ice crystals were forming in his mustache. Sweat had run off his face, and mucus had flowed from his nose, and now his mustache was beginning to freeze up. . . . He looked at his hand. He made a fist. Then he undid it and splayed his fingers out and turned them this way and that. They were extraordinarily broad, his fingers. From yanking, and carrying the eighty-pound cartons, they were pumped up, bulging with little muscles. They were . . . stupendous . . . and grotesque at the same time. His hand looked as if it belonged to someone twice his size.

That night, without even giving it so much as a thought, Conrad saves the life of a co-worker by leaping onto him and pushing him out of the way of a runaway forklift. Shaken, terrified, he takes a break, only to find everybody staring at him (the way everybody in an earlier chapter had stared at Peepgass).

He blushes to realize that they think he is a hero: "He had just . . . *done* it, in a moment of terror. And he was still terrified!"

And then, in a sentence that seems almost a throwaway on page 130 of a 742-page book, Wolfe gives us the key to *A Man in Full*: "That he shared these guilty, submerged, utterly inexpressible feelings with most of the heroes of history, he had no way of knowing." Conrad is the one true man in the book, someone who has willfully chosen to take responsibility for himself and others. The child of ex-hippies who probably got their ideas about life from the Merry Pranksters, Conrad actually married his high-school sweetheart when he got her pregnant, forcing him to work rather than pursue his nascent interest in philosophy at San Francisco State or Berkeley. The father of two small children, he works his miserable job without complaint to fulfill a simple hope—ownership of a condominium in Danville, California.

Conrad is a figure straight out of nineteenth-century fiction, a successor to Dostoyevsky's Prince Myshkin or one of the faultless women who appear in the novels of Dickens: a moral exemplar, a paragon of virtue, a near-saint. And his downward spiral takes on the aspect of a pilgrim's journey down into the slough of despond and back up to renewal. In a series of perfectly rendered scenes, Conrad finds his car towed in Oakland and must frantically try to reclaim it before the impound lot closes at 7 P.M. When he is falsely charged with beating up an attendant at the lot, he refuses to accept a suspended sentence by pleading guilty—for the plain reason that he is not guilty and couldn't face his children if he lied.

As a result, he ends up in the Alameda County Jail, which provides Wolfe with yet another opportunity to dazzle us with his reportage and sympathetic imagination. In jail Conrad finds the key to his salvation when he is mistakenly sent a copy of an anthology called *The Stoics* and discovers the Roman philosopher Epictetus:

> What little bit Conrad had learned about philosophy at [community college] had seemed to concern people who were free and whose main problem began with the assumption that life is hard, brutal, punishing, narrow, and confining, a deadly business, and that fairness and unfairness are beside the point. . . . Only Epictetus had looked his tormentors in the eye and said, "You do what you have to do, and I will do what I have to do, which is live and die like a man."

It comes as a shock to realize that what Tom Wolfe, master satirist and portraitist, is offering us in *A Man in Full* is an exegesis of Stoicism—but that is indeed what he is doing. And by the novel's end, he has contrived to bring Conrad and Charlie Croker together so that Croker can finally become the "man in full" he has always had the possibility, but rarely the will, to be.

There is much, much more in *A Man in Full*, largely centering on a dubious rape accusation made by the daughter of a white millionaire against a star black athlete. This part of the novel, which is never less than engaging, is not the equal of the rest—and Wolfe falters with his depiction of the book's fourth major character, a black lawyer named Roger White whose old fraternity brother, the mayor of Atlanta, presses him into service to get the rape accusation quashed. Neither White nor the mayor is credible, and their private conversations are stilted and false. Despite Wolfe's diligent efforts to depict the two cultures of the South, white and black, he simply cannot inhabit his black characters in the same way he inhabits Croker, Peepgass, and Conrad Hensley. Nor are the women in the book much more than stick figures; Wolfe tries to give them breadth and perception, but they do not come to life.

Even so, *A Man in Full* is in competition with Philip Roth's *American Pastoral* and Richard Russo's *Nobody's Fool* as the best American novel of this decade. It's interesting, and meaningful, to note that those two books are also about "men in full"—about men who strive to maintain their dignity and strength in a world that values neither. ♦

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The Days of Mary Meyer

Life and Death Among the Old Guard

By Noemie Emery

Back in the middle years of the Cold War, when Georgetown was the center of the universe, there was a woman named Mary Meyer who always seemed to be in the thick of things.

Daughter of a colleague of Theodore Roosevelt, ex-wife of the CIA's Cord Meyer, and a sister-in-law of *Newsweek*'s Washington bureau chief Ben Bradlee, she was a neighbor to the Kennedys, a friend of Alice Roosevelt Longworth, and a frequent guest of Alice's cousin, Joseph W. Alsop. She was present at the social beginnings of Camelot, the White House dinner dance for some seventy friends of the Kennedys on March 15, 1961, where the president sat between Mary and Tony Bradlee, her sister.

Blonde and exquisite, feisty and fey, she was one of a group of bright, intense, and hungry people who held sway in that era—too much, perhaps, for their own good. Drinking, depression, and breakdowns were frequent. Mary's ex-husband's boss, CIA chief Frank Wisner, shot himself after a harrowing bout with manic depression. So did Philip Graham, publisher of the *Washington Post*. So did James Truitt, a *Newsweek* reporter who had been Mary's confidant (and who sold her story to tabloids). And those who escaped their own demons seemed to draw down upon themselves the demons of others. John F. Kennedy was shot in November 1963; his brother Robert, five years later. And Mary herself was murdered in 1964, shot twice as she walked one October afternoon along the canal in Georgetown.

Mary Meyer's life was entangled in secrets: the secrets of her husband's CIA job, which rotted their marriage; a secret affair with President Kennedy (which the Bradlees learned about on the night of her murder); her secret diary that was spirited away by CIA counter-spy James Jesus Angleton. And her murder, which has never been solved, seems haunted by secrets—the secrets she may have learned in a CIA family, secrets she may have been told by Kennedy.

Nina Burleigh
A Very Private Woman
The Life and Unsolved Murder of Presidential Mistress Mary Meyer
Bantam, 356 pp., $23.95

Ex-*Time* staffer Nina Burleigh does not manage to resolve these secrets in her new book, *A Very Private Woman: The Life and Unsolved Murder of Presidential Mistress Mary Meyer*. But Burleigh does present a sensitive study of a time, place, and woman—interspersed with political lunacy. As a tirade against war and male beastliness, *A Very Private Woman* proves tiresome. But as a social history, murder mystery, and character study, it evokes a by-gone era and a private woman made public by death.

As mistresses go, Mary Meyer was close to the top, a companion as well as a plaything. Described as "wildly beautiful, in the Grace Kelly sense," she was born Mary Pinchot in 1920 to a wealthy political family. At Grey Towers, the family's country estate in Pennsylvania, she and her siblings rode, splashed in pools, played tennis, and dined on peacock, home-grown. At twenty-four, after finishing at Vassar, she married Cord Meyer, a poet who had gone into World War II a pacifist and come out a military hero.

After the war, as head of covert operations for the Central Intelligence Agency, Meyer gradually changed from a poet into an overworked bureaucrat for an agency immersed in bizarre plans to kill Castro with conch shells. To escape, Mary plunged into art, and then into an affair with an Italian playboy, whom she met on the "husband-dumping" tour of Europe she took with her sister Tony in 1954. (Just as Mary dropped Meyer, so Tony dropped her own Washington-lawyer husband for Ben Bradlee, whom she wed the next year.)

Mary made plans to settle in the American West with her lover and children, but before her divorce was finalized the playboy had deserted her and her middle child had been killed in a traffic accident. Still stunned, she moved to Georgetown to begin life as an Unmarried Woman, setting up a studio in the Bradlees' garage and starting an affair with a then-struggling artist, Kenneth Noland. (She also tried to drown her sorrows in the curious therapies of psychiatrists who specialized in orgone boxes and experiments with LSD.)

In 1959, as the affair with Noland was ending, she ran into John Kennedy and resumed their old friendship. In 1961, she began to appear at the White House—at first at Jackie's invitation and then on evenings when Jackie was out. Logged into the White House around 7:30, usually on the arm of one of the president's social retainers ("William Walton plus one"), she would be driven home around midnight. Kennedy was famous for quickly losing interest in his conquests, but Mary appears to have been the exception, becoming an integral part of his

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universe. As Burleigh writes,

> So frequent was her proximity to the president, and so obvious Kennedy's admiration for her, that [White House counsel Myer] Feldman felt Mary might make a good conduit to the president's ear. . . . Longtime Kennedy aide Dave Powers recalled . . . , "Jack loved to talk to her and he talked to her about just about anything."

Mary was often called to the White House at times of political and personal crisis: She was there on August 5, 1962, when Marilyn Monroe was found dead; in October, when Mississippi governor Ross Barnett challenged the federal government to a civil-rights showdown; on June 12, 1963, when civil-rights leader Medgar Evers was murdered; in August 1963, two days after their friend Philip Graham committed suicide.

It is this extraordinary closeness to a president that led Mary's friends to insist that there must be a reason she was shot to death on the canal towpath, eleven months after the president himself had been killed. Was it something political or personal that he told her? And what *did* they talk about? Did her family ask Angleton to look for her diary? Or did he break into Mary's studio himself? Why didn't Angleton burn the diary when Tony Bradlee asked him to? Was it copied? Does it still exist?

A suspect was arrested near Mary's body, but no weapon was ever recovered, and at the trial in July 1965, the evidence was deemed inconclusive. Burleigh thinks this was largely thanks to incompetent prosecution and suggests that the verdict had been a politically correct one: The suspect was black, the Summer of '65 riots had started, and this was one issue the white establishment did not wish to press. But many people thought then, and still think, that Mary's had been a professional killing and that the murderer had slipped away into the nearby woods.

Like the scenes of her life, the scenes of her death were filled with establishment figures. The U.S. district attorney for Washington was David Acheson, son of former secretary of state Dean Acheson and brother-in-law of presidential adviser McGeorge Bundy. The judge was Howard Corcoran, brother of Washington super-lawyer Tommy Corcoran, and the judge's law clerk was the young Robert Bennett. Sam Donaldson was present as a young reporter. Ben Bradlee was the first witness called.

But her murder, along with that of Kennedy, marked the end of the world in which the pre-Vietnam establishment lived, with its assumptions of safety, order, and personal dominance. Accustomed to money and power, they had been reared to both duty and privilege, taught to think of the world as their province—to ask much of but also to save. They were equally capable of courage and hubris, sacrifice and greed. But the deaths of the Kennedys robbed them of power, the Vietnam War broke careers and friendships. Marriages ended. Children took drugs and dropped out.

Photos: Bantam

Mary Meyer after finishing at Vassar.

At evoking this now-vanished world, Nina Burleigh proves very successful. Unfortunately, her perceptive reporting in *A Very Private Woman* is matched by cultural polemics and political theories not quite consistent with facts. Does it matter that the author is the same Nina Burleigh who effused in the magazine *Mirabella* about the charms of Bill Clinton, and then told Howard Kurtz of the *Washington Post* that she would be happy to gratify the president in reward for his pro-abortion views?

It turns out that the answer is yes. Burleigh's biography of Mary Meyer is a look back at the Kennedy years through the lens of the Clinton era, where countercultural values hold sway. Mary's complex and personal story becomes a political struggle. Nuclear war and the nuclear family are declared intertwined forms of repression and menace, summed up in Mary's 1950s marriage to a member of the CIA. "Domestic security was exalted on every level—nationally, in the suburban streets, inside the home," Burleigh writes. "The postwar ethic was about home and family. Beneath that placid surface . . . nuclear annihilation was the submerged threat." And this threat, it turns out, was brought on by American militance goading a peaceful Soviet Union into taking action in its own defense.

Lacking any form of historical context, Burleigh's narrations are filled with ghastly descriptions of bombs going off and predictions of casualties, as though these were things that American presidents were either ignorant of or indifferent toward. The cause of the Cuban missile crisis Burleigh ascribes to Kennedy's threatening rhetoric. And it is not the Russian missiles but the American response to them that "brought the world closer to nuclear war than it had ever been." Meanwhile, Kennedy continued to host his glittering parties with Mary and others: "Diverting attention from terrifying displays of fire and warlike rhetoric was the parade of intimate dinners and glamorous fetes at the White House. The charred images of

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atomic warfare hovered over the festivities like the plague in the 'Masque of the Red Death.'"

This martial world was also a man's world, in which women "were 'tomatoes,' 'the females,' present for male amusement." Now and then they showed up "with children or party plans," only to be sent back to the kitchen again. It was this culture, in Burleigh's account, from which Mary broke free. But even in mistressly escape, she got no respect: not from her artist-lover of the late 1950s and certainly not from Kennedy, both of whom loved her for all the wrong reasons. After calling Kennedy "a decorated World War II veteran" as though it were an insult, Burleigh quotes as proof of Kennedy's insensitivity a comment he is said to have made to a friend about Jackie: "She's everything that a woman should be. She's beautiful, she paints."

Mary Meyer, on the far right, posing with President Kennedy and her family.

What the reader finally discovers in *A Very Private Woman* is a feminist view in which feminine grace is a sign of abjection and masculinity a sign of evil—unless women display it. Burleigh sees nothing amiss in Kennedy's constant adulteries, but she is moved to fury by Kennedy's social banter with good-looking women. It is not the president's bedrooms but his dinner parties that are the scene of obscene debauchery. "The women filled the role once filled by dancing girls in the courts of the sultans. They were there to amuse the president, visually, conversationally, and in some cases, in bed." The key word here is not "bed" but "amuse the president," as though pleasing a man were a sin.

In Burleigh's telling, the broken arc of Mary Meyer's life becomes a feminist fable: "A confident, athletic girl grew up to marry and bear children, became dissatisfied with her life, and embarked on a path toward the beginnings of personal authority and independence." The reader watches Mary move from war to peace, power to art, domesticity and marriage to sexual freedom, patriarchy to autonomy, reason to emotion—in short, from the conformist, male-centered world of the 1950s to the liberated 1960s.

But, of course, even what Burleigh herself records shows it was not that simple. The hard-nosed cold warriors were people who listened to music, read widely and deeply, and appreciated art. One female friend remembers that James Angleton had "a very fascinating, romantic, Bohemian side. [He] was the most romantic man I've ever known." Cord Meyer was a poet who collected art and encouraged Mary in her early painting.

Burleigh writes of housekeeping and mothering as though they were nothing but drains on the creative instinct of women, but Mary seems in fact to have liked caring for her children and her home. It wasn't patriarchal oppressions and nascent feminist stirrings that wrecked her marriage, but the enormous strains of CIA work. "I don't know how I got through them," Angleton's wife said about his years in the service. "The men were decent enough, but their nerves were shot."

Burleigh makes Mary a sexual rebel on principle and describes her plans to elope with her Italian playboy as part of her awakening from male oppression, though it seems more likely a case of bad taste and bad judgment. Indeed, if her post-marriage life were an awakening, why did she regress to John Kennedy, a man straight out of the CIA playbook, aggressive, controlling, and male?

In fact, the clichés of the feminist movement are wholly inadequate to describe this woman, these men, and the times they lived in. And, oddly enough, it is Burleigh's skill as a reporter that contradicts her sledgehammer attacks on the military-testosterone complex. *A Very Private Woman* is a wonderful read with a maddening subtext, as though Betty Friedan had strayed into a novel by F. Scott Fitzgerald.

Even in Nina Burleigh's reporting, Mary Meyer emerges not as a feminist but as a very feminine woman with very feminine interests that she pursued with an almost masculine will. She wanted art and emotion, not position and power, but she went after them with all the aggression with which some men pursue their careers.

In the contrasts in her life—her serious side and her wildness, her desire to be a good person while still being reckless—she was very much like the CIA people and even more like John Kennedy. Not a rebel against the men in her circle, she was very much part of her age. ♦

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Picturing Jackson Pollock

A Retrospective at the Museum of Modern Art

By David Gelernter

Yellow is the cruelest color. Seemingly extroverted and gay, it expects to be treated like a prima donna, or it will go to pieces. It is too easily corrupted. The barest touch of black or graphite turns it dirty, grudging green. The eye can distinguish a million bright reds, greens, and purples, but only a narrow band of clear yellows. And if you juxtapose any one of them with the wrong neighbors, it will shrivel and shriek. Painting with yellow is like planning a dinner party around a schizophrenic—or around a man like Jackson Pollock, half charmer, half drunken lout.

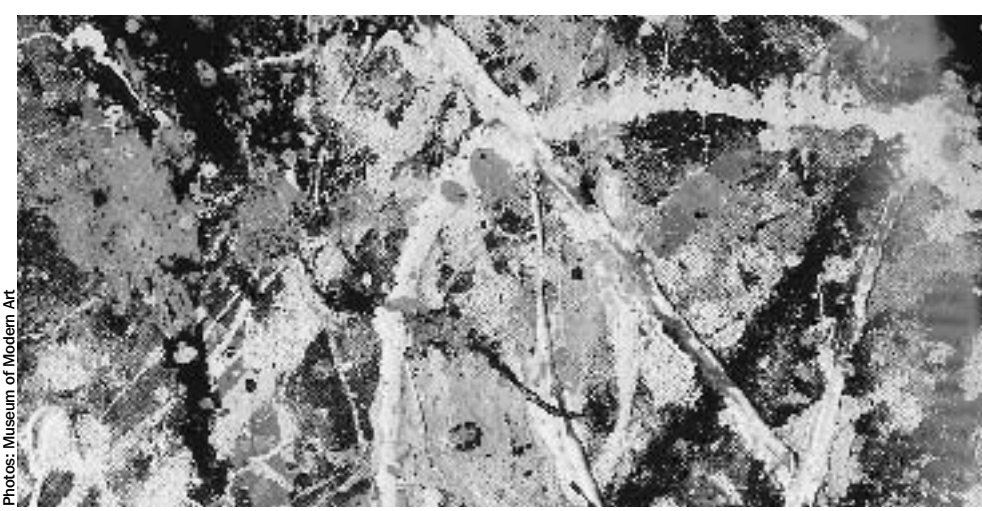
Pollock reaches for yellow repeatedly, but usually—as in the monumental, magnificent *Blue Poles* (1952)—his yellow comes out grim and soiled, subtracting and not adding serenity and brightness, reminding us of corruption. Reminding us that Pollock's is a grim story: His best paintings are tragedies that leave a person shaken.

The Pollock retrospective, at the Museum of Modern Art in New York City through February 2, is one of this decade's important shows. Pollock's well-known life story insinuates itself into every corner of the exhibit. You can't forget as you look at this work that the artist died in 1956 at age forty-four, thrown from a heavy car that had jumped the road and was hurtling end-over-end. He was drunk; two girls were aboard, and one was killed along with him. The big car end-over-ending is a macabre précis of his whole career: His life's work was the tracing of crazy lines with reckless force, in order to prove something unprovable to his women and himself. The wreck also summarizes the artist without his wife. Pollock had been relentlessly unfaithful to Lee Krasner, who had added discipline and purpose just sufficient to make his life cohere. Once she was gone, he was through.

Pollock is famous for his drip paintings, which date from 1947 through 1950 with a few encores afterward. Instead of touching a brush to stretched canvas, the artist pours, spatters, flings, and drips paint onto canvas unrolled on his studio floor. *Lavender Mist* (1950) is neither lavender nor mist, but is one of the greatest of this series. Lacy lines whip around in a tangle of white and black and silver and pink; the whole large painting (roughly seven feet by ten) is full of restless motion, but there is nothing frantic about it: It is all murmurs and whispers—the rose arbor alive with hidden bees, turned to silver; an image of great delicacy and restraint. (I overheard a lady at the exhibition tell her friend that it was "exquisite." Pollock's response would have been obscene. Nonetheless, it *is* exquisite.)

The pink in this painting is a pale peach-gray, nowhere near lavender. Clement Greenberg, critic and Pollock booster, came up with the name—presumably because the pink plus silver plus traces of blue in the black lines and gray-teal splotches yield a lavender feeling (sort of) when you look from the distance. "Mist" suggests transparency, but Pollock's color is—here, as nearly always—opaque. Where different colors intersect, the result is marbling sometimes, but one color almost never tints or glazes another.

Lavender Mist is arresting and lovely, and poses the key Pollock question. He once asked his wife, referring to one of the drip pictures, "Is this a painting?" She took this as wondrous and remarkable, for her husband was obviously creating not merely paintings but great and revolutionary ones. Yet the question is serious. Looking at *Lavender Mist*, you wonder whether it *is* a painting or rather a kind of vamping on canvas—a prologue that forces attention toward an absent, unavailable climax, an interesting (even mesmerizing) figure that the band plays repeatedly



Photos: Museum of Modern Art

Close-up of the surface of Lavender Mist *(1950).*

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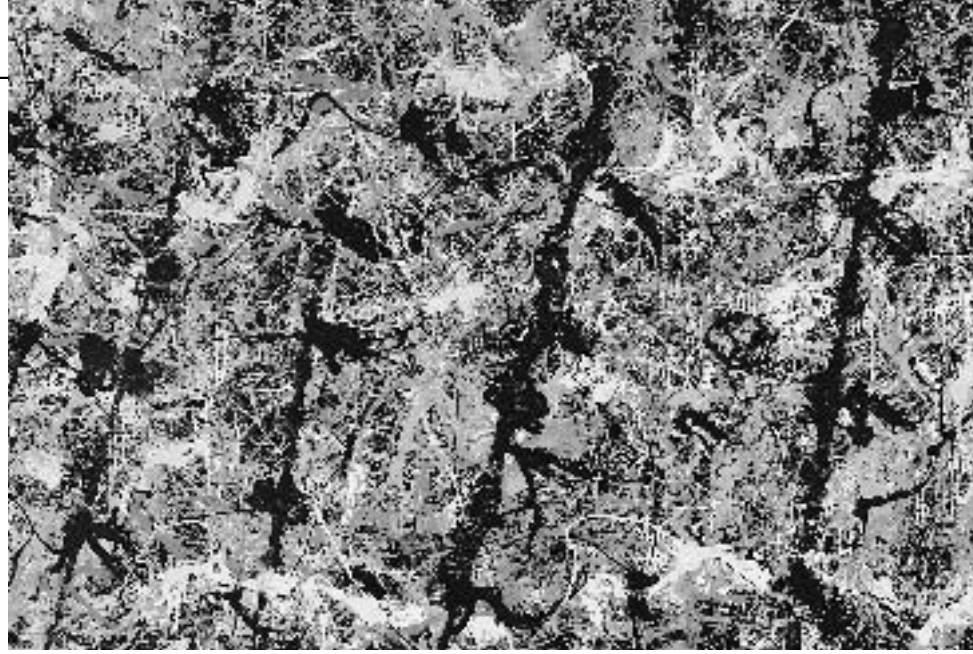

while you wait for the song to start. The question is not whether, as a few hostile critics said at the time, Pollock was a mere fabric designer, or a maker of chic backgrounds for fashion shoots. There is no question of *Lavender Mist*'s being merely decorative and trivial. There is a question of its being incomplete—pointing to an artistic destination instead of being one, posing a question and refusing to answer.

But what *is* the answer? If *Lavender Mist* is the background, where is the foreground? *Blue Poles*, the delayed culmination of the drip series, answers at last. There is nothing murmurous or elegant in this picture. It is a hot, hissing mass of live wires, broken and writhing—vermilion and silver and black, dirty yellow, dirty white. But the painting has a foreground also: eight staggering, drunken slashes, the "blue poles" of the title. They emerge thrashing and dripping from the background.

The huge canvas was the result of a famous nighttime, nightmare visit. Pollock's friend and fellow-artist Tony Smith drove many hours through a rainstorm to the far end of Long Island to calm the drunken master, who had a knife and was raging. Smith proposed that they make a painting. The non-Pollock contributions (Barnett Newman may have worked on the canvas, too) eventually disappeared beneath the surface of Pollock's last major drip work.

Blue Poles is probably Pollock's greatest painting; it is the only drip painting that feels complete. Inevitably, the viewer reads those reeling, suffering, staggering blue poles as Pollock's self-portrait. Serious artists are nearly always driven to portray themselves, but Pollock lacked the technique to make convincing portraits in the conventional sense. He was a fair-to-lousy draftsman. More important, he lacked the character to look himself in the eye. (Kirk Varnedoe notes in his fine catalogue essay that, in a rare and fragmentary self-portrait in an early notebook, the subject glances furtively to one side.)

Instead of confronting his technical limitations, Pollock slipped around and outwitted them. This artist whose weakness was poor draftsmanship insisted, nonetheless, on building his masterpieces exclusively out of lines. But these were lines of a new kind, airborne tangles of paint requiring a new kind of technique. In the end, he even figured out how to portray himself using these strange new lines he had invented.

The catalogue for an ordinary exhibition puts a painting on the cover. But this show's catalogue uses instead a photograph of Pollock at work, a still from the famous documentary film by Hans Namuth and Paul Falkenberg. Pollock is painting on glass. And we see, through the glass, Pollock's face, brush, and writhing black line—his leitmotiv. Why did the photograph displace the painting we expected? Is it simply a better image than any Pollock painting? Tightly structured as it is, and centering on Pollock's rapt and suffering face?

No. Pollock's own paintings are better, deeper images. But the cover photo reminds us of the missing ingredient we sense in nearly all the artist's work—the self-portrait that should have been included, that the artist did not know how to make until nearly the end. He was always painting backdrops for himself. The cover photo is a commentary on the way we look at these paintings. We project onto them the artist's famous, brooding, omnipresent cultural icon of a face—and then they seem complete.

The drip paintings are conventionally described as "all-over" pictures, but there is no such thing. An all-over painting allegedly has no plot or center of attention. The painter merely bakes a certain texture and carves out a rectangular piece of it. But paintings are not lasagna, and human nature makes all-over paintings impossible. We can't look all over, we can only look *at*.

Presenting the viewer with an all-over painting is like showing him a Rorschach ink blot and telling him, "This is just an ink blot." The eye discovers a plot in every painting—aside from the implied dark shadow of Pollock himself. In *Number 3* (1948), the plot centers on thick ropes of aluminum, writhing like out-of-control firehoses; beneath them, gray-teal and rust-yellow collect in pools and spatters, and brown streams swirl into dirty-orange rivers. *Number 27* (also 1950) is a view through the windshield as you drive through a silver-white-pink-yellow storm of shattering force, a storm to end the world, yet wholly silent, with mysterious pale-gray shapes dancing in the foreground.

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Blue Poles (1952)

During the hugely creative years between 1948 and 1950, Pollock barely drank. When he got back to alcohol, his productivity collapsed. But he did not lose his artistic way. Several of the late paintings are masterpieces. Some (such as *White Light* from 1954) look backward to the wriggling, densely painted networks of the years immediately preceding the Drip Age. Some are altogether new. *The Deep* (1953) is one of Abstract Expressionism's great achievements—histrionic, but Pollock is always histrionic; strobe-frozen electricity arcing a blood-black cosmic waste. The painting is tense with fright. It is often compared to Clyfford Still's work; Still, too, uses ragged black voids, but his pictures are shallow, labored, and homely. *The Deep* is vibrant.

The show also includes some wonderful pre-drip works. In the celebrated but rarely seen *Mural* (1943), an abstract, frantic chorus line crowds the picture plane. (There is a lot of dance in Pollock's work.) An untitled drawing from 1945 is worth the price of admission: a curvy, blotted-and-squirming Kandinsky line snake dancing in the background, straight-and-narrow planks laid across the front, mysterious faces lurking in the distance. The colors are lovely: pale gray-teal and (as usual) dirty yellow warmed up by gentle orange and vermilion.

The Museum of Modern Art has mounted has mounted a spectacular exhibition. But the press release makes arguable claims. It reports (predictably) that Pollock was "championed by art critics and mocked by the popular press." He was also mocked by art critics and championed by the popular press, but that version fits establishment preconceptions less handily. As Varnedoe reports in his essay, *Life* magazine published a story in 1949—"Jackson Pollock: Is He the Greatest Living Painter in the United States?"—that made Pollock famous. The text was partly pro-, partly anti-Pollock. But to read it in 1998 is to be astonished at its very existence. No pop-culture outlet of comparable importance would even consider a move like this today.

The press release claims that "psychological and medical problems" plagued him—which is simultaneously true and an evasion of the truth. When he started making money at last, he stiffed the brothers who had cared for him during the long, hard years of drunken struggle. He would have been lost without his wife, would probably have amounted to nothing; but he was mean and unfaithful to her. In his drunk-driver role, he was not only a suicide but a killer. These are not psychological problems, they are character flaws. He was a weak and selfish man. Also sick; also great. But to sweep his weak selfishness under the psychological-problems rug is to re-enact the ancient tradition of whitewashing great men's lives.

When the museum's press release calls him "the most influential American painter of the twentieth century," it's doing better. This is true, for now. The show confirms that Pollock (with Rothko and de Kooning) is part of the big three of Abstract Expressionism. Yet de Kooning is incomparably the greater painter and will prove more influential in the end.

Like de Kooning, like all great artists, Pollock was a mirror of his times. He came to adulthood during the Depression, and his colors tended towards a worn-out, Depression shabbiness all his life. *Lavender Mist* notwithstanding, every one of his drip paintings has urgent violence somewhere in it. But as a group, they speak also of the giddy expansion of cultural possibilities in America after World War II—of the yawning vacuum that brought forth with a great whoosh all sorts of art and ideas. We don't understand Abstract Expressionism because we don't understand America's two brilliant postwar decades. The big-boldness of Abstract Expressionism was no protest against, it was a characteristic part of the postwar United States.

One final thing the museum's press release neglects to report is a truth that many viewers will have in mind as they emerge—that Pollock's is above all masculine art, art of physical force, of the painter's will hitting canvas with uncompromising kamikaze power. It is not pretty, but (unlike today's fashionable art) it is not ironic, snide, or patronizing either. Mainly, it is desperate. Hordes of men *are* desperate, after all—to prove something to women, or to say how they feel and what they want, or simply to announce who they are. Very few ever manage to put their desperation into paint.

Nowadays we have chased masculine art into exile, and we laugh at its futility and bumbling earnestness and inarticulate despair. But male artists (because they can't help it) still turn the stuff out—on the low-rent cultural fringes, in the spiritual counterparts of the dingy Greenwich Village walk-ups that the Abstract Expressionists inhabited before they struck gold and moved to the suburbs. Pollock inspires these exiled male artists, and hardship is good for them, and some day they will come down from the hills. In the meantime, why not visit Jackson Pollock at the Museum of Modern Art, where you can see the wave of the past and the wave of the future simultaneously? ♦

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Parody

The Washington Post

George W. Bush Is Better than God

Has Presidency Locked Up in 2000

By The Entire
Washington Press Corps

Deep in the heart of Texas—yet only 15 minutes from Dallas/Fort Worth Airport, which has direct flights to D.C.—is the little town of Drano. The community is hushed this particular morning, but for the heavy breathing of the visiting reporters, because Gov. George W. Bush is coming to town.

Standing nervously by the podium are the fortunate few—Those Who Are To Be Included—waiting to be showered with new-style Republican inclusiveness. There is a Hispanic man who will be receiving some words of encouragement in actual Spanish from Gov. Bush: "Youras Votas es muy importante to mea. Felice navida. La, la, la bamba. Cerveza Fría."

Next will be the African-American woman who will be embraced in an outreach manner by Gov. Bush. Then the son of the former president will stand in front of the members of the national press corps, who will squeal in delight and throw their underwear at him.

At the appointed hour, St. George comes strolling toward the throng across the surface of Lake Drano. A chorus of evangelicals burst into song, reprising the ancient hymn "Whatever Irresponsible Things You Did Before Your 40th Birthday, We Forgive You." His Supreme Governorness gives them a Papal wave.

"Proud? Mondo-proud. Proud City! Message: I'm bursting!" exclaims the governor's father, former president George Bush, who is looking pretty good in retrospect. "Immaculate conception! No doubt about it," he adds, explaining his son's wonderfulness.

As W. approaches, the hysteria subsides. All is quiet. The throng is waiting for the magic phrase. The anticipation is awesome. Gov. Bush taps the microphone. Then he utters it: "Compassionate Conservatism." For a second, all is silent, as the crowd absorbs the majesty of the concept. Then . . . bedlam! Ecstasy! The reporters are going crazy! Here he is, in the flesh! The un-Bauer! The un-Gingrich! The un-Buchanan! A Republican we can all approve of!

The governor smiles.

See BUSH IS BETTER, A7, Col. 1

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